

**5500 WISCONSIN AVENUE
SKETCH PLAN AMENDMENT NO. 32022001A AND
SITE PLAN NO. 820230040**



Description

The Applicant is proposing to redevelop the existing single-story retail building on the Property with a new development containing up to 300 residential units, including 15% Moderately Priced Dwelling Units (up to 45 MPDUs), and up to 11,015 square feet of ground-floor commercial use. The existing hotel and parking structure onsite are proposed to remain. The Sketch Plan Amendment also includes the property located at 4608 North Park Avenue for purposes of FAR Averaging.

No. 32022001A and 820230040
Completed: April 3, 2023

MCPB
Item No. 7
04-13-2023

Montgomery County
Planning Board
2425 Reedie Drive, Floor 14
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Summary:

- Staff recommends **approval** of Sketch Plan Amendment 32022001A and Site Plan 820230040, with conditions.
- The Subject Application proposes a mixed-use development of up to 444,605 total square feet, including up to 308,118 square feet residential for up to 300 multi-family dwelling units with at least 15 percent MPDUs, up to 11,015 square feet of retail, and 125,472 square feet of existing hotel uses to remain. The Applicant is proposing 55,562 square feet of bonus density for providing 15 percent MPDUs.
- The Subject Application includes 4608 North Park Avenue, in Friendship Heights, as a Density-Sending Property. The Applicant proposes to transfer up to 32,718 square feet of density from the Sending Property to the subject Property via the FAR-Averaging provisions of the Zoning Ordinance (Section 59.4.5.2.B).
- On December 30, 2021, the Planning Board approved Sketch Plan No. 320220010 for up to 406,563 square feet of total development, including up to 278,591 square feet of residential uses with 15 percent MPDUs, up to 137,972 square feet of non-residential uses, and 125,472 square feet of existing hotel use to remain. The property is a recorded lot, so no Preliminary Plan is required.
- The Planning Director approved a 30-day extension request for the Subject Application on February 28, 2023.
- Staff has received seven emails and two letters of support for the Subject Application and no letters of opposition as of the posting of this report.

LOCATION/ADDRESS

5500 Wisconsin Avenue
Southeast quadrant, intersection of
Wisconsin Avenue and South Park Avenue

MASTER PLAN

1998 *Friendship Heights Sector Plan*

ZONE

CR-3.0, C-2.0, R-2.75, H-90T

PROPERTY SIZE

1.81 acres

APPLICANT

KRE CDP Property Owner, LLC

ACCEPTANCE DATE

December 14, 2022

REVIEW BASIS

Chapter 59 of the Montgomery County Code

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SECTION 1: EXECUTIVE SUMMARY

The Applicant proposes to redevelop the southern portion of an existing lot in Friendship Heights that currently contains a one-story retail building and a Courtyard Marriott hotel. A new 18-story mixed-use development with ground floor retail and up to 300 multifamily dwelling units with 15 percent MPDUs will replace the one-story retail building at the corner of Wisconsin Avenue and South Park Avenue. The hotel will remain.

The site design includes a privately owned and maintained but publicly accessible shared street connection between Wisconsin Avenue to The Hills Plaza that features loading and residential parking access.

There are a few uncommon elements to the application to note:

- The Site is located within the boundaries of the Village of Friendship Heights. The Village has jurisdiction over its roadways but not land use issues, which remains with the Planning Board. The Village Manager had a regulatory review during the application process and provided comments. Additionally, the Village has a private agreement with the Applicant.
- The Applicant proposes to transfer density from an off-site property in Friendship Heights to augment the density mapped to the Subject Site. As allowed under Section 59.4.5.2 of the Zoning Ordinance, the owner of the property located at 4608 North Park Avenue will transfer up to 32,718 square feet of density to be used as residential density on the Subject Site. The Sending Property will retain enough standard method density on the site to accommodate the existing two-story single-family house structure. The Zoning Ordinance and the proposed Conditions of Approval require the Applicant to document the transfer in the land records. Such transfers also require an additional 50 Public Benefit Points, for a total of 150 for this application.
- Since the Applicant proposes to provide more than 12.5 percent MPDUs, Section 59.4.5.2.C.1. allows the project a 22-percent residential density bonus for providing 2.5 percent more MPDUs for a total of 15 percent. Calculated using the residential density mapped to the Subject Site and the residential density transferred from the Sending Site, this MPDU “bonus density” equals 55,562 square feet.
- The Subject Site is zoned CR-3.0, C-2.0, R-2.75, H-90T. Section 59.4.5.2.D. includes “Special Provisions for ‘T’ Zones Translated from Certain Zones Existing Before October 30, 2014.” CR properties with a “T” at the end of the zoning classification are typically translations of CBD zones from the pre-2014 Zoning Ordinance. This Application is using this section to allow additional height above the mapped maximum 90-foot height on a portion of the Property “so long as the average height of the building is no greater than the maximum height allowed by

the mapped zone.” The maximum average building height over the Subject Site will be 90 feet, while the maximum tower height is conditioned at 187 feet.

- Since the Subject Site is a recorded lot, and no right-of-way dedication is required, there is no application for a Preliminary Plan of Subdivision. The Adequate Public Facilities finding is included with the Site Plan application.

Staff has received seven emails and two letters in support of the Subject Application and none in opposition, as of the posting of this staff report.

Staff recommends approval, with conditions.

SECTION 2: RECOMMENDATIONS AND CONDITIONS

SKETCH PLAN AMENDMENT 32022001A

Staff recommends approval of 5500 Wisconsin Avenue, Sketch Plan Amendment No. 32022001A, for up to 446,478 square feet of total development, comprising on the Subject Site up to 444,605 square feet of development, including up to 308,118 square feet of residential uses with 15 percent MPDUs and up to 136,487 square feet of non-residential uses including 125,472 square feet of existing non-residential hotel uses to remain, and on the Density-Sending Site up to 1,873 square feet of existing non-residential uses to remain, on 3.01 total acres zoned CR-3.0, C-2.0, R-2.75, H-90T, in the 1998 *Friendship Heights Sector Plan*. The following site development elements shown on the latest electronic version of Sketch Plan No. 32022001A, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the conditions below. The following replaces Condition 1 and modifies Condition 3 modifies previously approved conditions, which otherwise remain in full force and effect:

1. Density

The Sketch Plan is limited to a maximum of ~~406,563~~ 446,478 square feet of total development, comprising on the Subject Site up to 444,605 square feet of development, including up to ~~278,591~~ 318,506 square feet of residential uses which includes up to ~~50,238~~ 57,435 square feet of bonus density for providing 15 percent MPDUs) and up to 137,972 square feet of non-residential uses including 125,472 square feet of existing non-residential hotel uses to remain, and on the Density-Sending Site up to 1,873 square feet of existing non-residential uses to remain. The maximum number of dwelling units and use mix will be determined at 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. Total points must equal at least ~~100~~ 150 and be chosen from at least ~~four~~ five categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a. Transit Proximity, achieved through level 1 transit proximity.
- b. Diversity of uses and activities, achieved by providing affordable housing beyond the zoning requirements.
- c. Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance and a through-block connection.
- d. Quality of Building and Site Design, achieved through architectural elevations, exceptional design, public open space, and structured parking; and
- e. Protection and Enhancement of the Natural Environment achieved through the purchase of building lot terminations. Additional public benefit subcategories within

this Category may be considered at the time of Site Plan without further Sketch Plan amendment.

SITE PLAN 820230040

Staff recommends approval of Site Plan No. 820230040, for the construction of a multi-family building with a maximum density of 444,605 square feet including 308,118 square feet of residential uses for up to 300 dwelling units including 15percent MPDUs, and up to 136,487 square feet of non-residential uses including 125,472 square feet of existing non-residential hotel uses to remain. The development must comply with the conditions of approval for Sketch Plan 320220010, as amended. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.¹

DENSITY, HEIGHT & HOUSING

1. Density

The Site Plan is limited to a maximum of 444,605 square feet of total development on the Subject Property, including up to 308,118 square feet of residential uses, for up to 300 multi-family dwelling units with a minimum of 15 percent MPDUs, up to 11,015 square feet of retail/service², and 125,472 square feet of existing non-residential hotel uses to remain.

2. Height

The development is limited to a maximum average building height of 90 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan. The maximum single-point building height is 187 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan. The average building height is determined as described in Section 59.4.5.2.D of the Zoning Ordinance.

3. Density Averaging

Before certification of the Site Plan, the Applicant must record an instrument in the County Land records reflecting an intent for density to be transferred for this project as required under Section 59.4.5.2.B of the Zoning Ordinance, and that an amended instrument will be recorded in the County Land records, prior to issuance of an above ground building permit, reflecting that the density has been transferred for this project.

¹ For the purposes of these conditions, the term “Applicant” shall also mean the developer, the owner, or any successor (s) in interest to the terms of this approval.

² The retail/service use space can be changed to other commercial uses if there is no adverse impact on the Site Plan and APF findings and it is approved by Staff.

- a) The density to be transferred under this Site Plan is measured in gross square feet and will be from the Sending Property, 4608 North Park Avenue, totaling 32,718 square feet of transferred residential density.

OPEN SPACE, FACILITIES AND AMENITIES

4. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 8,900 square feet of public open space (11 percent of net lot area) on-site.
- b) Before the issuance of the final Use and Occupancy certificates for the residential development, the Applicant must construct the streetscape improvements, including the undergrounding of utilities, along the Property's frontage on Wisconsin Avenue, consistent with the *Complete Streets Design Guide Standards*.
- c) Before the issuance of the final Use and Occupancy certificate for the residential development, all public open space areas on the Subject Property must be completed.

5. Public Benefits

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

- a) Transit Proximity
- b) Connectivity between Uses, Activities, and Mobility Options

- i. Minimum Parking

The Applicant must provide a minimum of 315 parking spaces up to a maximum of 340 parking spaces within a parking structure.

- ii. Through-Block Connection

- iii. The Applicant must provide the shared street between The Hills Plaza and Wisconsin Avenue, as illustrated on the Certified Site Plan. The through-block connection must include an ADA accessible pathway along the north side that is a minimum of five-foot wide. The through-block connection must remain open to the public for pedestrian and bicycle access at all times. The through-block connection may restrict access to cars when closed for special events. The Applicant must post and retain signage to notify the public that the shared street is not publicly maintained and to provide contact information to handle complaints, concerns, or questions regarding the shared street.

c) Diversity of Uses and Activities

i. Affordable Housing/MPDUS

- a. The development must provide a minimum of 15 percent MPDUs, or MCDHCA - approved equivalent, consistent with the requirements of Chapter 25A. The Applicant is receiving a 22 percent density bonus for providing 15 percent MPDUs.
- b. Before issuance of any above-grade building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.
- c. The Planning Board has reviewed and accepts the recommendations of DHCA in its letter dated March 20, 2023 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.

ii. Enhanced Accessibility for the Disabled

The Applicant must construct four dwelling units that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard, as determined by the Department of Permitting Services (MCDPS) at building permit.

d) Quality Building and Site Design

i. Architectural Elevations

Final elevation design must be shown on the Certified Site Plan. The exterior architectural character, proportion and articulation must be substantially similar to architectural elevations as shown on the Certified Site Plan as determined by M-NCPPC Staff, material selection to be determined

The Project must adhere to the following design parameters, as illustrated on the Certified Site Plan:

- a. minimum of 60 percent transparency on the ground floor elevations along the three public roads;
- b. minimum of 40 percent transparency on the ground floor of the shared street; and
- c. minimum of 60-foot separation between operable doors on retail frontages and the shared street.

ii. Exceptional Design

The Applicant must construct the building in a manner consistent with the architectural elevations included in the Certified Site Plan.

iii. Public Open Space

The Applicant must provide a minimum of 8,900 square feet of public open space (11 percent of net lot area) on-site.

- iv. Structured Parking
 - The Applicant must provide a minimum of 315 parking spaces up to a maximum of 340 parking spaces within a parking structure.
- e) Protection and Enhancement of the Natural Environment
 - i. Building Lot Terminations (BLTs)
 - Before issuance of any building permit, the Applicant must provide proof of purchase of and/or payment for 0.7069 BLTs to the MCDPS and M-NCPPC staff.
 - ii. Recycling Facility Plan
 - The Applicant must adhere to the Recycling Facility Plan as approved by the Department of Environmental Protection.
- 6. Recreation Facilities

The Applicant must provide the required recreation facilities as shown on the Certified Site Plan). The Certified Site Plan must include an exhibit delineating the location and detail of recreation facilities, where appropriate, in a manner that is clear and corresponds to the posted surety and maintenance agreement.
- 7. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, the shared street and the public open spaces onsite.

ENVIRONMENT

- 8. Forest Conservation & Tree Save
 - a. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
 - b. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree-save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
 - c. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
 - d. Before the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must submit the forest conservation fee-in-lieu payment to the M-NCPPC Planning Department for the 0.33 acres of afforestation/reforestation requirement.
- 9. Noise Attenuation
 - a. Before the issuance of the first above-grade building permit, the Applicant/developer/builder must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that the building shell for

residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn, will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. Noise-impacted units must be illustrated on the Certified Site Plan.

- b. Before the final inspection for any impacted residential unit, the Applicant /developer/builder must certify to M-NCPPC Staff that the noise-impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.
- c. If any changes occur to the Site Plan that affect the validity of the noise analysis dated February 24, 2023, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.
- d. Before issuance of any final Use and Occupancy Certificate or Final Inspection for any of the noise-impacted units, a Professional Engineer must certify to the Planning Department and Department of Permitting Services that the noise-impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.
- e. For all noise-impacted residential dwelling units, the Applicant/developer/builder must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. Such notification may be accomplished by inclusion of this information and any measures to reduce the impacts in brochures and promotional documents and must be included in any noise-impacted unit sales contracts, any illustrative site plan(s) on display within any sales related offices(s); in Homeowner Association documents; with all Deeds of Conveyance of noise impacted units; and by inclusion on all signature subdivision and site plans.

10. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the MCDPS Water Resources Section in its stormwater management concept letter dated January 24, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

TRANSPORTATION & CIRCULATION

11. Transportation

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated December 22, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its memo dated January 26, 2023 and

incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which MCDOT may amend if the amendments do not conflict with other conditions of Site Plan approval.

- c) The Planning Board has reviewed and accepts the recommendations of the Maryland Department of Transportation State Highway Administration (MDOT SHA) in its memo dated March 8, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
 - d) Before the issuance of any building permit, the Applicant must obtain approval of a Project-based Transportation Demand Management Plan (TDM) from MCDOT.
12. A common use and access covenant is required for the benefit of the public over all shared streets, sidewalks and paths not included in a public right-of-way or private street parcel. The covenant must be created by a deed acceptable to M-NCPPC staff as well as in a form approved by the MNCPPC Office of the General Counsel and must be recorded among the Montgomery County Land Records.

13. Pedestrian & Bicycle Circulation

- a) The Applicant must provide on-site 119 long-term and six (6) short-term bicycle parking spaces, as illustrated on the Certified Site Plan.
- b) The new long-term spaces must be in a secured, well-lit bicycle rooms within the building, and the short-term spaces must be inverted-U racks (or staff-approved equal) installed in a location convenient to the main entrance] (weather-protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide the following master-planned pedestrian and bicycle facilities along the property frontage, the exact location, design, and construction of which must comply with requirements of the Village of Friendship Heights and Maryland State Highway Administration, as applicable, before the final use and occupancy permit.
 - i. Wisconsin Avenue: 15-foot-wide sidewalk with 9-foot-wide buffer from traffic.
 - ii. South Park Avenue: 10-foot-wide sidewalk with six-foot-wide buffer from traffic.
 - iii. The Hills Plaza: 10-foot-wide sidewalk with six-foot-wide buffer from traffic.

14. APF Validity

The Adequate Public Facilities Review (APF) will remain valid for five (5) years from the initiation date of this resolution, as specified in Section 50.4.3.J.5 of the County Code.

15. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated February 19, 2023, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

SITE PLAN

16. Lighting

- a) Before Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- e) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

17. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

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

18. Development Program

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

19. Certified Site Plan

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

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add the following notes:
 - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
 - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
 - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan. The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS Site Plan Compliance Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”
- c) Include Fire and Rescue Access plan in the Certified Site Plan.
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) Include the loading management plan as reviewed and approved by staff.

SECTION 3: SITE DESCRIPTION

VICINITY

The Property is located on the southern block of Wisconsin Avenue with frontage also on South Park Avenue and The Hills Plaza. To the north is a 15-story medical office building, across Wisconsin Avenue to the east is the Collection at Chevy Chase which includes 1-3-story retail buildings and associated parking. To the west across The Hills Plaza is the Friendship Heights Community Center and Hubert Humphrey Park as well as multifamily residential buildings farther west. To the south are commercial, medical office, and residential buildings along Wisconsin Avenue, with the Shops at Wisconsin Place, the Friendship Heights Metro Station, and the District of Columbia boundary less than a ¼-mile south of the Property.

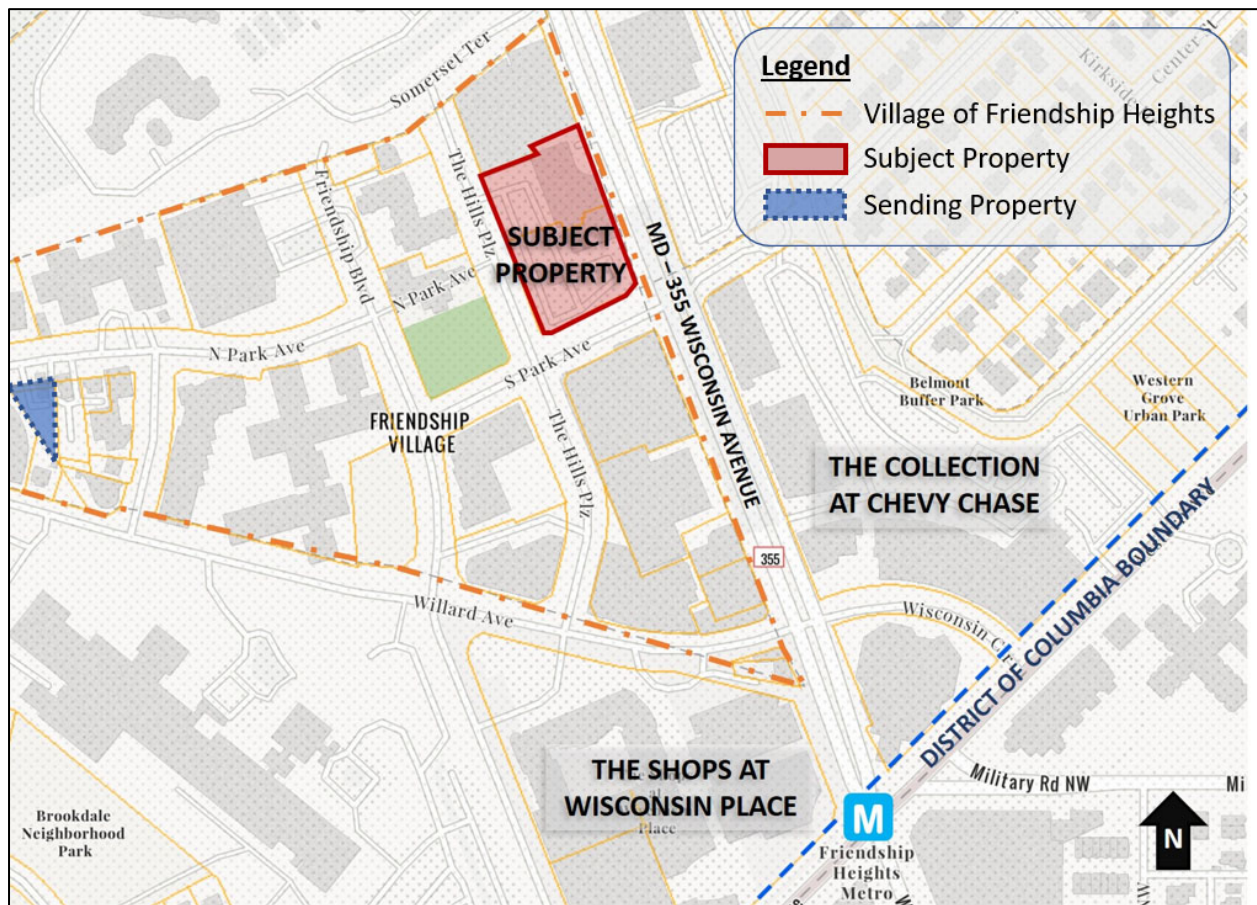


Figure 1 – Vicinity Map

PROPERTY DESCRIPTION

The Subject Site (Subject Property or Property) is located within the Village of Friendship Heights in the Town Center delineated by the 1998 *Friendship Heights Sector Plan* (Sector Plan). The Site is a single lot, Lot 21 in Block I within the “Friendship Heights” subdivision, as recorded in Montgomery County Land Records Plat No. 9126 (dated 1969). The Property is currently improved with a single building connected with a below-grade parking garage that contains a 12-story hotel and adjoining 1-story retail with structured parking above the retail. The Applicant proposes to retain the hotel.

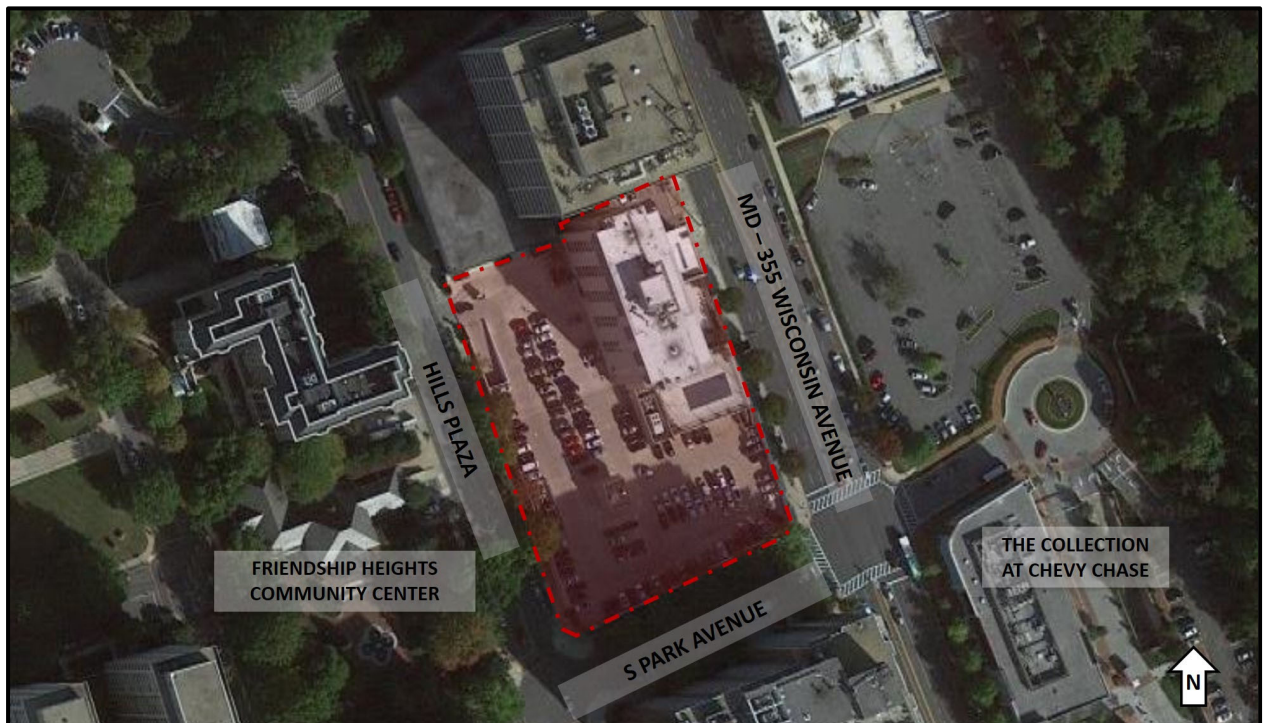


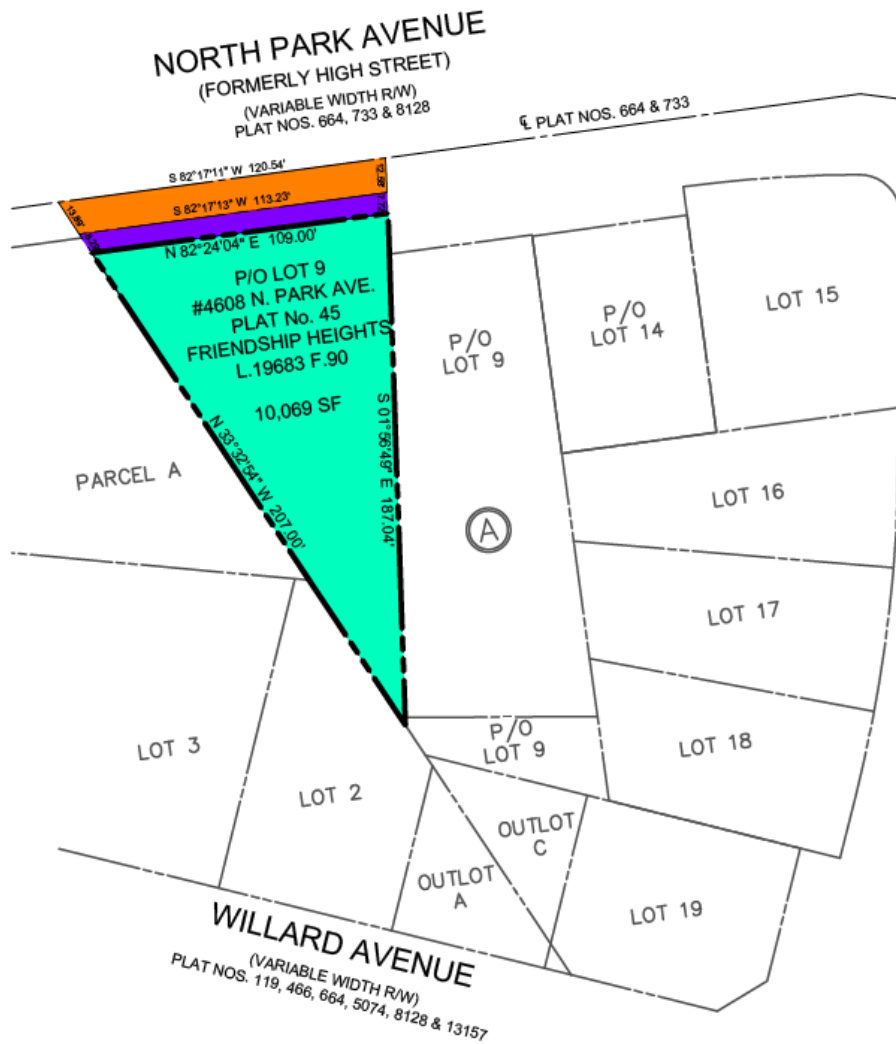
Figure 2 – Subject Property

The Property is zoned CR-3.0, C-2.0, R-2.75, H-90T and has a tract area of 118,775 square feet (2.73 acres). The Property contains three frontages, along Wisconsin Avenue, South Park Avenue, and The Hills Plaza. The existing hotel is accessed through two existing curb cuts on Wisconsin Avenue which allow for drop off/pick up as well as access to the parking garage. There is a second entrance to the parking garage off The Hills Plaza, and there are no curb cuts on South Park Avenue. The Site’s topography increases approximately 10 feet from Wisconsin Avenue to The Hills Plaza.

In addition to the Subject Property, this Application includes 4608 North Park Avenue (the Sending Property) for purposes of FAR averaging, as permitted by Section 4.5.2.B and 4.9.2.C.5 of the Zoning Ordinance. The Sending Property is also zoned CR-3.0, C-2.0, R-2.75, H-90T and has a tract area of 12,349 square feet (0.28 acres). It has an existing two-story building used for retail/commercial purposes, of approximately 1,416 square feet, that will remain.



Figure 3 – Sending Property



TRACT AREA TABULATION (DENSITY TRANSFER SITE)	
DEDICATION AREA 1 PLAT 45 (JUNE 1901) = 1,456 SF	
DEDICATION AREA 2 L.3796 F.770 (OCTOBER 1968) = 824 SF	
EXISTING SITE AREA L.19683 F.90 (NOVEMBER 2000) = 10,069 SF	
TOTAL TRACT AREA = 12,349 SF	

MAX. TOTAL DENSITY (3.0 FAR)	= 37,047 SF
MAX. RESIDENTIAL DENSITY (2.75 FAR)	= 33,960 SF
MAX. COMMERCIAL DENSITY (0.25 FAR)	= 3,087 SF
COMMERCIAL TRANSFER TO 5500 DEVELOPMENT SITE	= 0 SF
RESIDENTIAL TRANSFER TO 5500 DEVELOPMENT SITE	= 32,718 SF
REMAINING COMMERCIAL DENSITY	= 3,087 SF
REMAINING RESIDENTIAL DENSITY	= 1,242 SF

Figure 4 – Density Transfer Exhibit from 4608 North Park Avenue

The Subject Property is located within the Little Falls Branch watershed which is a Use I-P 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, some of which are considered significant trees with sizes measuring at least 24” but less than 30” in diameter-at-breast-height (DBH). Just west of the site, within the study area along South Park Avenue and The Hills Plaza, two specimen-sized Willow Oaks border Hubert Humphrey Park; however, these specimen trees are not expected to be impacted by this project. 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.

SECTION 4: PROJECT DESCRIPTION

PREVIOUS APPROVALS

The Board of Appeals granted Special Exception CBA-2310 on March 12, 1968, to permit the construction and operation of the hotel on the Site, addressed at 5520 Wisconsin Avenue. The 2014 Zoning Ordinance update translated obsolete zones into equivalent applicable new zones, in this case from an obsolete CBD zone to a new CR zone. For the hotel use on this site, the Department of Permitting Services sent a memorandum to the Board of Appeals recommending revocation of the Special Exception, as a hotel use was permitted by right in the new zone. The Board of Appeals voted in favor of the recommendation and officially revoked the Special Exception on July 30, 2015. There was no Site Plan or other regulatory approval associated with the existing hotel on the Site.

On December 30, 2021, the Planning Board approved Sketch Plan No. 320220010 for up to 406,563 square feet of density to accommodate a mixed-use redevelopment, including up to 278,591 square feet of residential uses (which included up to 50,238 square feet of MPDU bonus density for providing 15percent MPDUs) and up to 137,972 square feet of non-residential uses (including 125,472 square feet of existing non-residential to remain) on the Property (with any given combination of commercial and residential density not to exceed 406,563 square feet).

The Mayor and Council of the Village of Friendship Heights appealed the Planning Board's Sketch Plan approval to the Circuit Court of Montgomery County, Maryland (the "Village"). The Circuit Court issued a decision on August 29, 2022 (Case No. C-15-CV-22-398) to uphold the Planning Board's approval of the Sketch Plan.

PROPOSAL

The Applicant proposes to redevelop the southern portion of the existing lot that currently contains the one-story retail with a new 18-story mixed-use development of up to a maximum of 444,605 square feet of total development, including up to 308,118 square feet of residential uses for up to 300 multi-family dwelling units with a minimum of 15 percent MPDUs, up to 11,015 square feet of retail/service, and 125,472 square feet of existing non-residential hotel uses to remain. The existing structured parking and associated access points along Wisconsin Avenue and The Hills Plaza are also to remain.

The 308,118 square feet of proposed residential density comes from three sources:

- 219,838 square feet (1.85 FAR) mapped to the Property. The remaining 1.15 FAR of the 3.0 FAR mapped to the site is proposed for commercial uses;
- 32,718 square feet transferred from the Sending Property at 4608 North Park Avenue. The Sending Property will retain enough standard method density on the site to accommodate the existing two-story single-family house structure.

- 55,562 square feet of “bonus” residential density equivalent to 22 percent of the mapped and transferred residential density, as allowed under Section 59.4.5.2.C.1. for providing 15 percent MPDUs instead of 12.5 percent.

The maximum average building height over the Subject Site will be 90 feet, while the maximum tower height is conditioned at 187 feet. The Subject Site is zoned CR-3.0, C-2.0, R-2.75, H-90T. Section 59.4.5.2.D. includes “Special Provisions for ‘T’ Zones Translated from Certain Zones Existing Before October 30, 2014.” CR properties with a “T” at the end of the zoning classification are typically translations of CBD zones from the pre-2014 Zoning Ordinance. This Application is using this section to allow additional height above the mapped maximum 90-foot height on a portion of the Property “so long as the average height of the building is no greater than the maximum height allowed by the mapped zone.”

The Applicant proposes to construct a privately owned and maintained but publicly accessible shared street connection between the existing hotel and future development, which will connect Wisconsin Avenue to The Hills Plaza and allow for loading and residential parking access from the future street. The proposed development will be considered one structure connected by the existing below-grade parking garage that emerges at the surface as two towers: one for the existing hotel and one for the future mixed-use development.

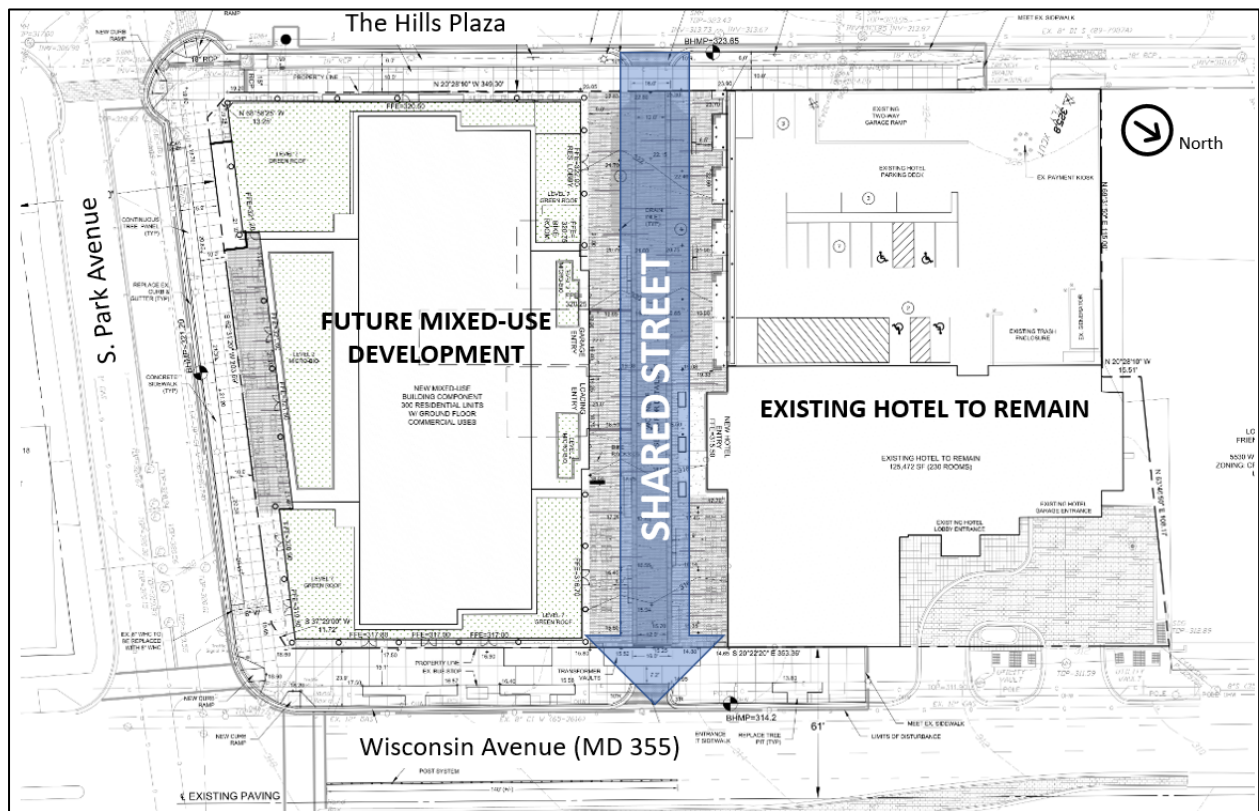


Figure 5 – Site Plan (north arrow adjusted to the right)

BUILDING/ARCHITECTURE

With the introduction of the shared street, the project will have continuous ground floor activation on all four sides. Starting on Wisconsin Avenue, continuous commercial uses stretch from the shared street along Wisconsin Avenue to South Park Avenue then turns the corner along South Park Avenue. Residential amenities are located on the ground floor at the South Park Avenue and The Hills Plaza corner and continue back to the shared street where the new residential lobby entrance will be located. These active, ground floor residential uses, along with the operable windows proposed for one of the storefront bays, help active the Hills Plaza frontage even in the absence of any direct pedestrian access along this street.

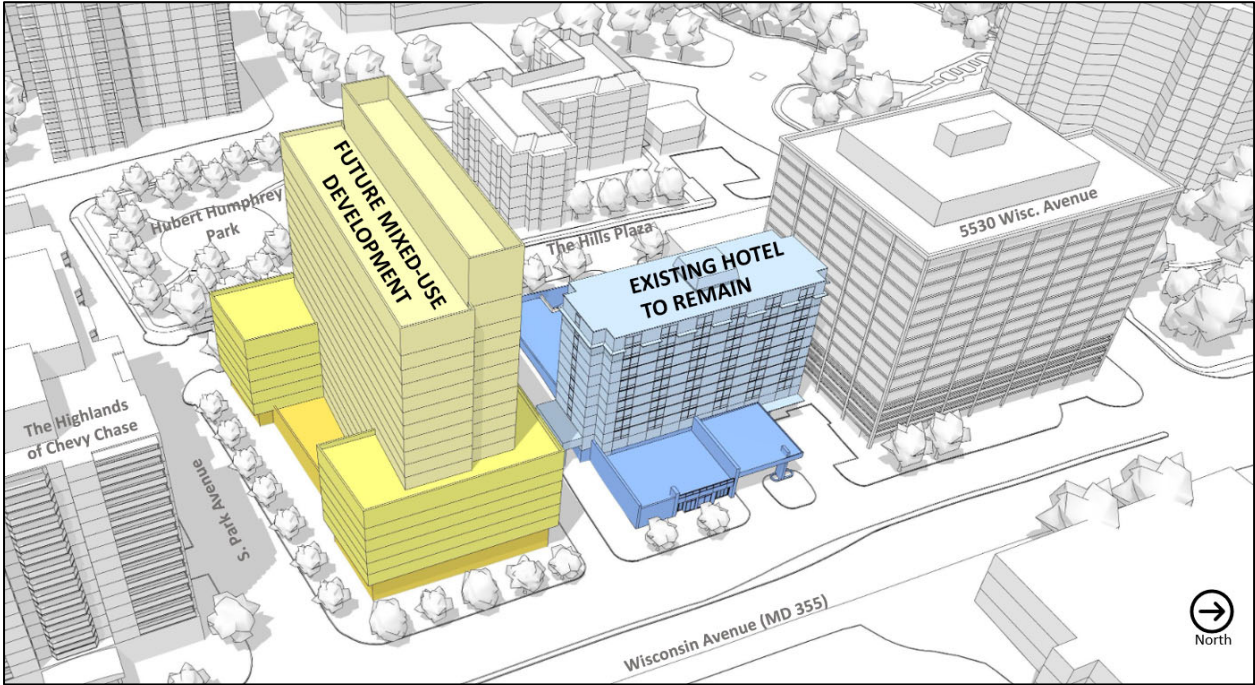


Figure 6 – Sketch Plan massing looking west from Wisconsin Avenue

The building services, including garage ramp and internal covered loading bays, will be located in the approximate mid-point of the shared street, and will be visually concealed behind decorative roll-up doors.

The building base presents as a pair of seven-story “shoulders”, which run north-south on Wisconsin Avenue and The Hills Plaza. A one-story base connects the shoulders on both South Park Avenue and the shared street. The seven-story shoulder street wall is intentionally lower than most of the neighboring buildings.



Figure 7 – Rendering looking southwest from Wisconsin Avenue

This lower shoulder height mitigates this scale issue, complimented by the generous streetscape and shared street, by allowing more light and air in the public open spaces. Finally, the slender “tower” of the building rises up from the base and shoulders and extends from the 8th to the 18th floor. The tower is oriented in an east-west direction, which allows for a narrow profile on the two primary streets of Wisconsin Avenue and The Hills Plaza.

This narrowness is accentuated further by bifurcating the mass into two parts and stepping the south-facing portion back 8 feet and the north-facing portion back 15 feet. This bifurcation splits the tower further into two slender elements and provides a distinct and elegant silhouette to both Wisconsin Avenue and The Hills Plaza.



Figure 8 – Rendering looking north from Hills Plaza

The base, shoulders, and tower are clad in elegant metal panels, adorned with balconies, and rendered in a duo-chromatic palette. The color palette is inspired by the simple elegance of the mid-century modern, but elevated by additional layers, textures, and shades of grey. Ultimately, the building is designed to appeal to the senses and human understanding at varying vantage points including several blocks away, across the street or park, and up close as a pedestrian.



Figure 9 – Rendering looking east from Hubert Humphrey Park

OPEN SPACE

Under the Optional Method of Development in the CR Zone, the Property's tract area and number of street frontages) require the Applicant to provide a minimum of 10percent of the Site area (or 7,901 square feet) as on-site public use space). The Project will exceed this requirement and will provide approximately 8,900 square feet of public open space (11.3 percent) that will enhance the pedestrian circulation and create opportunities for social gathering.

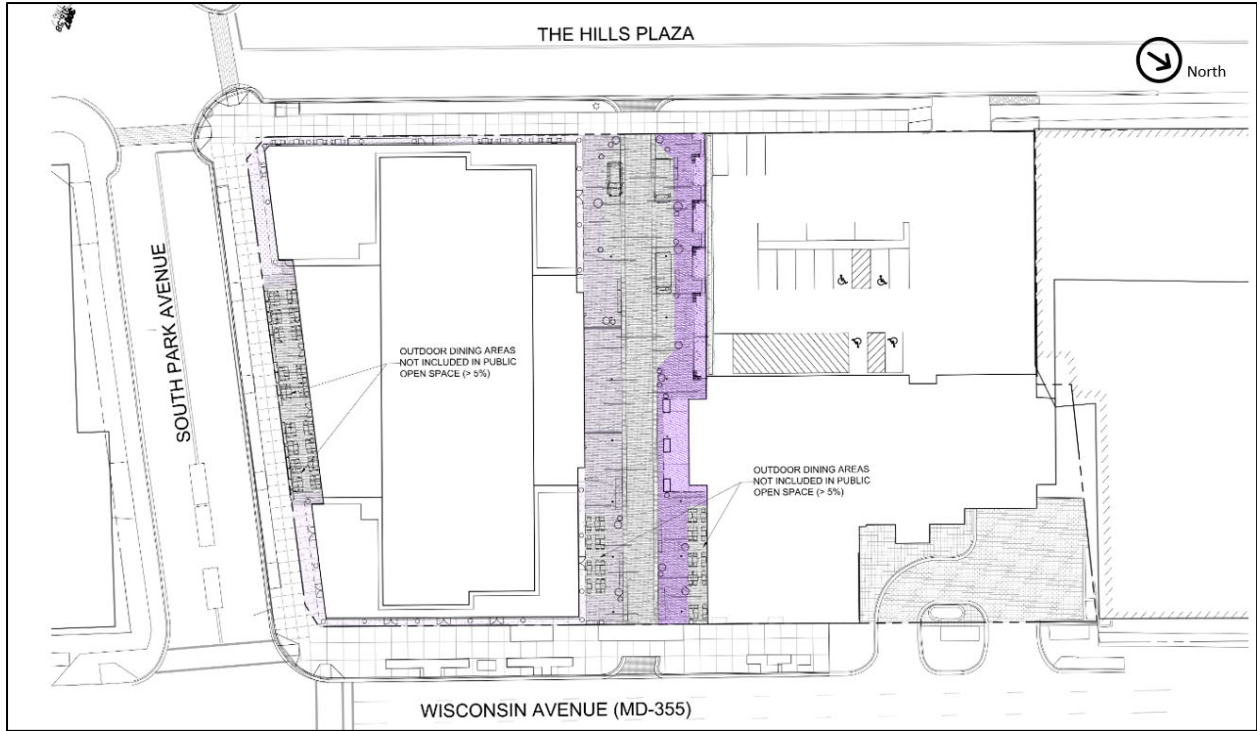


Figure 10 – Public Open Space highlighted in purple

The public open space includes the shared street and streetscape improvements between the proposed building and the right-of-way line.

Additionally, the Applicant is proposing café seating is proposed along the shared street, Wisconsin Avenue, and South Park Avenue. Because these areas will be dedicated to private restaurant/café uses, they are not counted as Public Open Space, but nevertheless play an important role in activating and enhancing the public realm.



Figure 11 – Rendering at the proposed café seating along the southern side of the shared street

TRANSPORTATION

Vehicular access to the new residential tower will be provided internal to the Property, off of the proposed shared street. The intent of the shared street is to create an inviting space for outdoor seating, gathering, and special events while also providing an area on-site for loading, routine and non-routine deliveries, ride-share queuing, and trash collection that will not disrupt the flow of travel for motorists, pedestrians, and cyclists on any of the Site’s three street frontages. All transportation modes can use the shared street, but the priority is given to the pedestrian.

As stated above, the shared street will provide vehicular access to the residents-only onsite parking garage and the loading bays/trash collection area. Truck turning templates were submitted with the application and reviewed by staff. The turning templates demonstrated that the design vehicles (SU-30 trucks) can maneuver in and out of the loading area without obstruction. Parking is provided on-site within the below-grade parking facility which spans the entire lot. The parking facility is comprised of two levels and is proposed to accommodate no more than 340 spaces, which is more than the minimum parking required for the existing hotel as well as the proposed mixed-use development (260 parking spaces) and fewer than the combined maximum (811 spaces).

The shared street will typically operate as one-way with inbound access from The Hills Plaza and egress onto Wisconsin Avenue. The eastern driveway is designed with a slight angle onto southbound Wisconsin Avenue which makes it clear from traffic traveling southbound on Wisconsin that it is not an inbound access point for the Site. The design of the driveway and the presence of a concrete median

on Wisconsin Avenue will ensure southbound-only egress from the Site onto Wisconsin Avenue. Staff is in support of this traffic operation as it will discourage use of the shared street to bypass the traffic signal on Wisconsin Avenue at South Park Avenue. Staff also supports the Applicant’s proposal to narrow the entry and exit points of the shared street to 16 feet maximum, as the narrower width will further help to calm motor vehicle traffic entering and traveling through the Site.

The only time the shared street will operate as two-way is when the Wisconsin Avenue end is closed for public events such as block parties. In those instances, the Wisconsin Avenue outbound driveway will be blocked temporarily and egress movements from the residential onsite garage will exit onto the Hills Plaza. The Property owner will clearly communicate the temporary change to typical traffic operations by way of temporary signage and communications with the tenants, who are the only motorists to have access to the parking garage.

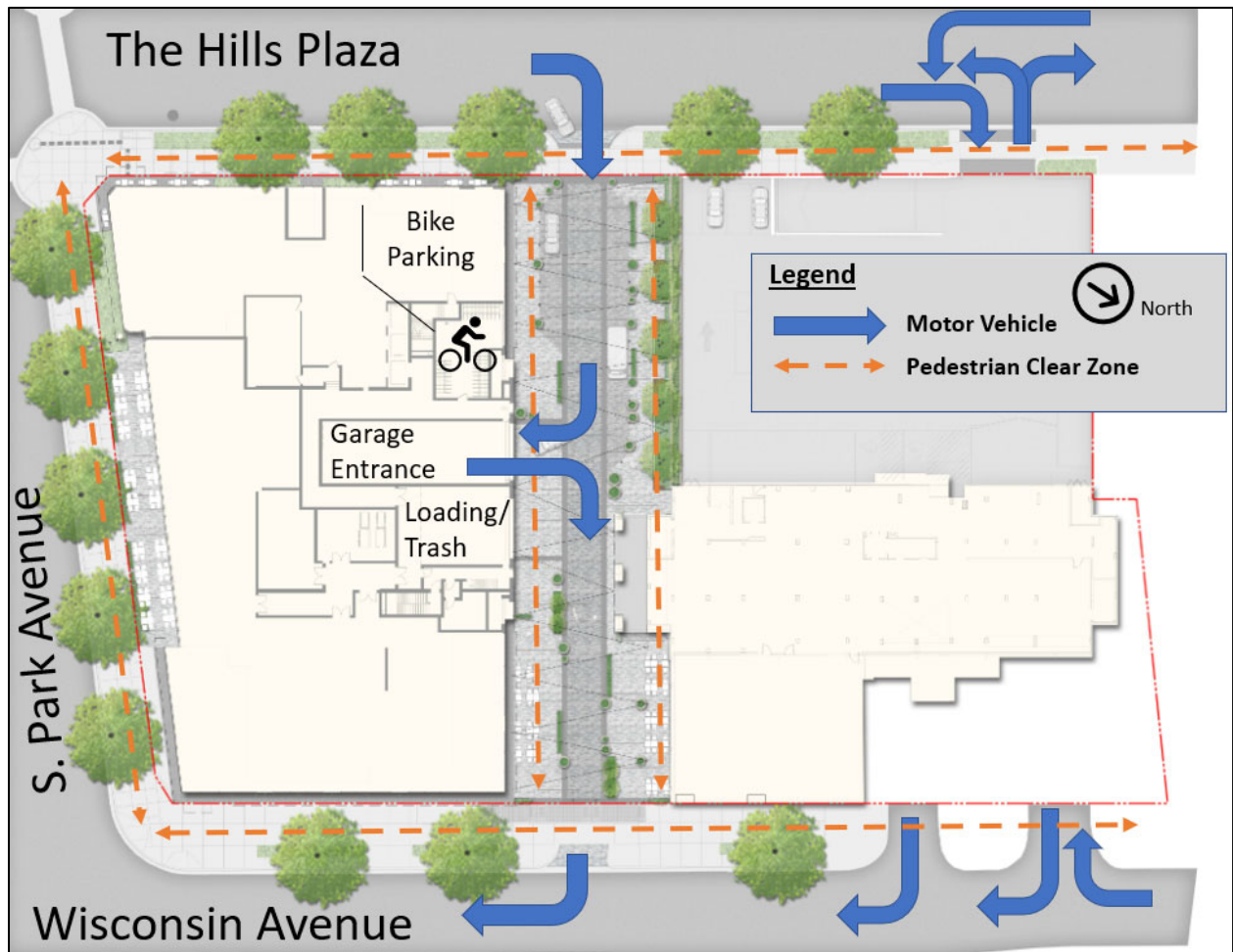


Figure 12 – Site Access and Circulation

The total width of the shared street between building faces is 55 feet at the widest point and 36 feet opposite the new hotel entry on the east side. As is typical for a shared street, the shared street will be constructed without curbs, creating a consistent, flush grade. To ensure slow speeds for motorists,

the total clear width of the vehicular travel way will be 12 feet, which will be delineated with contrasting colors and patterns of the pavers. Moveable planters will also help to demarcate the travel space and distinguish it from parallel on-street parking spaces, pedestrian pathways, and café seating. Space for approximately five cars will be provided on either side of the shared street at the western end. These spaces are intended for carsharing and unscheduled deliveries.

Vehicular access to the existing (and remaining) hotel component of the Project will remain unchanged and will continue to be provided off The Hills Plaza and Wisconsin Avenue. The hotel recently underwent renovation and therefore no additional physical changes are proposed on the hotel portion of the Site at this time. The existing hotel currently has two driveways in front of the main lobby entrance and a third in the rear of the property that have served the hotel for the past 50 years.

Pedestrian connectivity to and through the Site will be improved along all three Site frontages and along the shared street. In compliance with the 2021 *Complete Streets Design Guide* the existing sidewalks and street buffers along all three frontages will be widened from their current condition. Sidewalks on Wisconsin Avenue will be a minimum of 19 feet, separated from motor vehicle traffic by a nine-foot-wide street buffer. South Park Avenue and The Hills Plaza will widen the sidewalks to 10-foot wide and will install a six-foot-wide street buffer. As conditioned, a continuous, demarcated ADA accessible pathway will be provided along the north (hotel) side of the shared street. The north side was prioritized because all of the vehicular access points (garage access, loading bays, trash collection) are consolidated on the south side. Pedestrian access will be provided on the south side as well, but it has a more curvilinear path around other features such as vehicular access points and café seating.



Figure 13 – Rendering at the garage and loading bay façade from within the shared street

The 2018 *Bicycle Master Plan* does not recommend designated bicycle facilities along any of the three public road frontages and therefore no bicycle facilities are proposed as part of the Subject Application. The shared street will be accessible to bicyclists, and in fact, the long-term bicycle parking rooms for the residences will face and be accessed from the south side of the shared street. Locating the bicycle parking room at this location has the benefit of activating the shared street, and providing comfortable access to secure, long-term parking (when compared to other projects that locate most or all of the bicycle parking within the vehicular parking garage).

ENVIRONMENT

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) 420220270 for this Property was approved on September 14, 2021. The plan identified the existing man-made and natural features associated with the Property, such as the buildings, associated parking, street trees and landscape elements. As shown on the NRI/FSD, the site is currently developed with existing retail buildings, associated surface and garage parking areas, and existing streetscape areas. The Site is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100-year floodplains, steep slopes, or specimen trees. There are street trees generally measuring less than 24" DBH associated with the Subject Property frontages; two specimen trees, both Willow Oaks, lie near the Subject Property, just across The Hills Plaza to the North.

FOREST CONSERVATION

Although there is no forest on-site or adjacent to the Property, this Application is subject to Chapter 22A Forest Conservation Law and has included a Preliminary/Final Forest Conservation Plan with this Application. Due to the tract area, associated offsite work, and the high-density residential land use category of this project, the Forest Conservation Worksheet included in the Forest Conservation Plan shows a calculated Afforestation Requirement of 0.33 acres, which Staff recommends be met via fee-in-lieu. No specimen trees are proposed for removal; however, the Limits of Disturbance minimally overlaps with the critical root zone of a specimen tree, Tree #4, which is located offsite. Impacts to the critical root zone are expected to be negligible, however this impact to a specimen tree, sized at 30" or greater in diameter-at-breast-height (DBH), requires this Application to be subject to the variance provisions of Chapter 22A which is further discussed in the findings below.

SECTION 5: SKETCH PLAN 32022001A FINDINGS AND ANALYSIS

Sketch Plan Amendment 32022001A requests approval for up to 446,478 square feet of total development, comprising on the Subject Site up to 444,605 square feet of development, including up to 318,506 square feet of residential uses with 15 percent MPDUs and up to 136,487 square feet of non-residential uses including 125,472 square feet of existing non-residential hotel uses to remain, and on the Density-Sending Site up to 1,873 square feet of existing non-residential uses to remain. The proposed Sketch Plan Amendment does not alter the intent of the previous findings, which remain applicable, except as modified in the findings.

Section 59-7.3.3.E.

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

Table 1: 5500 Wisconsin Avenue Sketch Plan Data Table for Subject Site, CR-3.0, C-2.0, R-2.75, H-90T Zone, Optional Method, Section 59.4.5.4

Development Standard	Permitted/ Required	Previously Approved	Proposed with 32022001A
Subject Property Tract Area			
CR 3.0 C 2.0 R 2.75 H 90T	n/a	118,775 sf (2.72 ac)	No Change
Prior Dedication	n/a	39,763 sf (0.91 ac)	No Change
Proposed Dedication	n/a	0 sf (0.00 ac)	No Change
Site Area	n/a	79,012 sf (1.81 ac)	No Change
Sending Property Tract Area			
CR-3.0 C-2.0 R-2.75 H-90T	n/a	n/a	12,349 sf
Prior Dedication	n/a	n/a	2,280 sf
Site Area	n/a	n/a	10,069 sf
Mapped Density			
CR 3.0 C 2.0 R 2.75 H 90T			
Residential (GFA/ FAR)	326,631 sf (2.75)	228,353 sf (1.92)	No Change
Commercial (GFA/FAR)	237,550 sf (2.0)	137,972 sf (1.16) ²	No Change
Sending Property Density			
Residential (GFA)	n/a	n/a	32,718 sf ¹
Pre-MPDU Bonus Residential Density Subtotal (GFA)	n/a	n/a	261,071 sf
MPDU Bonus Density (GFA): 22% of Subtotal	n/a	50,238 sf (0.42)	57,435 sf
Total Residential Density (GFA/FAR)	326,631 sf (2.75)	278,591 sf (2.35)	318,506 sf (2.68)
Total GFA/FAR³	n/a	406,563 sf (3.42)	446,478 sf (3.76)
MPDU requirement	15%	15%	No Change

¹3,087 square feet of commercial density and 1,242 square feet of residential density to remain at Sending Property.

² Commercial Density includes 125,472 square feet of existing hotel to remain and up to 11,015 square feet of additional non-residential density for the first floor of the proposed development.

³Proposed Residential and Commercial density reflects ‘up to’ however the combination of each will not exceed 444,605 square feet.

Table 2: 5500 Wisconsin Avenue Sketch Plan Data Table for Subject Site, CR-3.0, C-2.0, R-2.75, H-90T Zone, Optional Method, Section 59.4.5.4 Continued

Development Standard	Permitted/ Required	Previously Approved	Proposed with 32022001A
Building Height, max. average	90 ft	90 ft ^{1,2}	No Change
Building Height, max.	187 ft	187 ft	No Change
Public Open Space (min sf)	10%	10% (7,907 sf)	11.3% (8,900 sf)
Minimum Setbacks (ft)			
Front (Wisconsin Ave)	0	0	0
Front (South Park Ave)	0	0	0
Front (The Hills Plaza)	0	0	0
Side	0	0	0

¹Section 59.4.5.2.D of the Zoning Ordinance allows provisions for “T” zones, allowing height on a portion of the building to be increased above the number following the H on the zoning map so long as the average height of the building is no greater than the maximum height allowed by the mapped zone. Final maximum building height to be determined at Site Plan. FAR by 22 percent for any application that includes more than 12.5 percent of the gross residential floor area as MPDUs.

²Section 59.4.9.2.C.7 of the Zoning Ordinance eliminates the height requirement to the extent necessary to provide MPDUs beyond 12.5 percent. Final maximum height to be determined at Site Plan.

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

FAR Averaging (Section 59-4.5.2.B.2.)

The Project proposes to use the FAR Averaging Provisions contained in the Zoning Ordinance. Section 4.5.2.B.3 of the Zoning Ordinance provides that density may be averaged over two or more non-contiguous properties in the CR Zone if:

4.5.3 Density maybe averaged over 2 or more non-contiguous properties in one or more CRT or CR Zones if:

- a. Each provision under Section 4.5.2.B.2 is satisfied, including:**

4.5.B.2.

- a. The properties are under the same site plan or sketch plan; and, if a sketch plan is required, the density averaging must be shown on the sketch plan;**

The Sending Property is encompassed by this Application.

- b. The resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved sketch plan;**

The Sending Property will satisfy the phasing plan approved as part of this Sketch Plan Amendment – the Project will be constructed in one phase.

- c. The maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties;**

The density of development on the combined lots does not exceed the total density permitted on the Property and Sending Property as separate lots.

- d. The total allowed maximum density on a resulting property that is abutting or confronting a property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use, does not exceed that allowed by the property's zone; and**

This provision is not applicable.

- e. Public benefits are required to be provided under any phasing element of an approved sketch plan.**

The Project will be developed in one phase and will provide adequate public benefits, as discussed in the Sketch Plan finding 10 below.

4.5.B.2.3 (Continued)

- b. The properties are within ¼ mile of each other or in a designated master-planned density transfer area, or are part of a Signature Business Headquarters plan or Biohealth Priority Campus plan;**

The Sending Property is located within ¼ mile of the subject Property.

- c. The minimum public benefit points required under Section 4.5.4.A.2 are exceeded by at least 50%; and**

As demonstrated in the Sketch Plan finding 10 below, in accordance with this requirement, the Project will provide a minimum of 150 public benefit points.

- d. The applicable master plan does not specifically prohibit the averaging of density between non-contiguous properties.**

The *Friendship Heights Sector Plan* does not prohibit the averaging of density between non-contiguous properties.

Section 59-7.3.3.E Necessary Findings

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

Taking into account the considerations in Section 59.4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design

guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the following outline of public benefits supports the Applicant’s request for incentive density and is appropriate for the community surrounding the site, as described below.

For the proposed development, the Zoning Ordinance requires 150 points in four categories. The Applicant proposes to meet the 150-point requirement utilizing five categories. Although at the time of Sketch Plan review only an outline of public benefits needs to be approved, the following table shows both the categories and points for the public benefits requested at Sketch Plan to demonstrate the project’s ability to meet the requirement to provide sufficient benefit points.

Table 3: Public Benefit Calculations- Division 59-4.7

Public Benefit	Maximum Points Allowed	Previously Approved 320220010	Proposed in concept with 32022001A
Transit Proximity	40	30	30
Connectivity and Mobility			
Minimum Parking	10	8	8.63
Through-Block Connections	20	10	20
Diversity of Uses and Activities			
Enhanced Accessibility	20	N/A*	4
Moderately Price Dwelling Units	N/A	30	30
Quality Building and Site Design			
Architectural Elevations	20	10	15
Exceptional Design	10	10	7
Public Open Space	20	N/A	1.26
Structured Parking	20	19	18.48
Protection and Enhancement of the Natural Environment			
Building Lot Terminations (BLT)	25	7	6.36
Recycling Facility Plan	10	N/A*	10
Total Points		124	150.73

*Indicates a public benefit category that was not included with the Previously Approved Sketch Plan 320220010.

TRANSIT PROXIMITY

Level 1: The Applicant requests 30 points for locating new development near transit stops. Level 1 allows up to 50 points based on proximity to an existing or master planned Metrorail station. The Property is located within ¼-mile from the Friendship Heights Metro Station; therefore, the Staff supports the category at this time.

CONNECTIVITY AND MOBILITY

Minimum Parking

The Applicant requests 8.63 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on-site. Staff supports the category at this time.

Through-Block Connection

The Applicant requests 20 points for providing a through-block connection from Wisconsin Avenue to The Hills Plaza. Through-block connections are intended to create safe and attractive pedestrian only connections between streets. While the proposed through-block connection would not be exclusive to pedestrians, the connection will serve as an important access to the Friendship Heights Community Center and is envisioned as a flush curb street that will prioritize pedestrians. The vehicular travel pattern has been restricted to one-way (as opposed to the two-way movements proposed during the Sketch Plan) and the vehicular travel lane has been significantly narrowed (from 20 feet, previously proposed, to 12-16 feet). This, in combination with the activating ground floor uses that line the shared street, will create an inviting space that will draw people through the block. Importantly, the Applicant has also eliminated the previously proposed arcades, so the shared street will be open aired for the full 55-foot width (with the exception of the small existing arcade at the hotel entrance that is a structural design element and cannot be eliminated). The shared street will be open to the public at all times. Catenary lights have been incorporated overhead to provide a ceiling to this space and facilitate evening use. Staff supports the category at this time.

DIVERSITY OF USES AND ACTIVITIES

Enhanced Accessibility for the Disabled

The Applicant proposes a minimum of three of the units will meet American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard. As such, the Applicant is seeking 4 points for enhanced accessibility for the disabled, per the calculation below:

$$(A/T)*300$$

$$A \text{ (ANSI 117.1 units)} = 4$$

$$T \text{ (total units)} = 300$$

$$(4/300) * 300 = 4 \text{ points}$$

Affordable Housing

The Applicant requests 30 points for providing 15 percent Moderately Priced Dwelling Units. While 15 percent MPDUs is the requirement for areas of the County where 45 percent of the census tracts have a median income of 150 percent of the County's AMI, the Applicant is still eligible to receive public benefit points for the provision of 15 percent MPDUs. Per the Zoning Ordinance, 12 public benefit points are available for every 1 percent of MPDUs greater than 12.5 percent. The Applicant proposes providing a total of up to 300 units, of which at least 15 percent must be MPDUS. Staff supports the category at this time.

QUALITY OF BUILDING AND SITE DESIGN

Architectural Elevations

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

Exceptional Design

The Applicant requests 7 points for building and/or site design that enhances the character of a setting. The design of the future mixed-use development and the relationship to the future shared street responds uniquely to the surrounding context and provides an enhanced space for pedestrians and members of the community. Staff supports the category at this time.

Public Open Space

Under the Optional Method of Development in the CR Zone (given the Tract area attributable to the Property and number of frontages), the Applicant is required to provide a minimum of 10 percent on-site public use space (or 7,901 square feet). The Project exceeds this requirement and is proposing to provide 8,900 square feet of diverse public open space offerings. As such, per the calculation below, the Applicant is seeking 1.26 points from this category. Staff supports the category at this time.

(P/N) * 100

P (public open space) = 999 square feet (above minimum)

N (net lot area) = 79,012 square feet

$999/79,012 * 100 = 1.26$ points

Structured Parking

All of the parking provided on-site will be located in above- or below-grade structured parking. Since the Site Plan seeks approval of a range of parking, the Applicant has conservatively calculated the Structured Parking points on the minimum number of parking spaces, given that if more parking were to be provided, on the higher end of the range, that parking would be located below-grade.

$$[(A/T)*10+(B/T)*20]$$

$$A \text{ (above-grade spaces)} = 36$$

$$B \text{ (below-grade spaces)} = 273 \text{ (minimum)}$$

$$T \text{ (total spaces)} = 315$$

$$[(15/315) * 10] + [(294/315) * 20] = 18.48 \text{ points}$$

The Applicant requests 18.48 points for providing structured parking. Staff supports the category at this time.

PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT

Building Lot Termination (BLT)

The Applicant requests 6.36 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 percent 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. Based on the density proposed by this Project, the Applicant is required to purchase 0.7069 BLTs, based on the following calculation:

- 356,325 square feet total new development proposed – (59,387.5 square feet base density) = 296,937.5 square feet of incentive density
- 296,937.5 square feet x 0.075 = 22,270.31/31,500 = 0.7069 BLTs

Since one BLT is equivalent to nine public benefit points, the Applicant is seeking approximately 6.36 points for this category. Staff supports the Applicant's request at this time.

Recycling Facility Plan

The Applicant proposes to incorporate a recycling plan and facilities that will meet or exceed the Executive Regulations 15-04AM and 18-04. In accordance with the CR Incentive Density requirements, five points are appropriate for developments that meet this requirement. The Applicant requests additional points for providing dedicated recycling containers within the shared street, as well as a paper shredder and a cooking oil container in the trash/recycling room. The Applicant will coordinate with the Department of Environmental Protection on the plan. Staff supports the category at this time.

SECTION 6: SITE PLAN 820230040 FINDINGS AND ANALYSIS

Section 59.4.5.4.A.1 requires that Optional Method projects in the CR-3.0, C-2.0, R-2.75, H-90T zone receive an approved Site Plan under Section 59.7.3.4 for any development on a property with an approved Sketch Plan.

1. When reviewing an application, the approval findings apply only to the site covered by the application.

The findings herein apply only to the Subject Property.

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

a) satisfies any previous approval that applies to the site;

This Site Plan is consistent with the uses, densities, and all other provisions of the Sketch Plan Amendment No. 32022001A.

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

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

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

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

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

i. Division 4.5 CR-3.0, C-2.0, R-2.75, H-90T Zone

Table 4: 5500 Wisconsin Avenue Site Plan Data Table for CR-3.0, C-2.0, R-2.75, H-90T Zone, Optional Method, Section 59.4.5.3.C.

Development Standard	Permitted/ Required	Proposed
Subject Property Tract Area		
CR-3.0 C-2.0 R-2.75 H-90 T	n/a	118,775 sf (2.72 ac)
Prior Dedication	n/a	39,763 sf (0.91 ac)
Proposed Dedication	n/a	0 sf
Site Area	n/a	79,012 sf (1.81 ac)
Sending Property Tract Area		
CR-3.0 C-2.0 R-2.75 H-90 T	n/a	12,349 sf
Prior Dedication	n/a	2,280 sf
Site Area	n/a	10,069 sf
Mapped Density (GFA/FAR)	37,047 sf (3.0)	37,047 sf (3.0)
Mapped Density		
CR-3.0 C-2.0 R-2.75 H-90 T		
Residential (GFA/ FAR)	326,631 sf (2.75)	219,838 sf (1.85)
Commercial (GFA/FAR)	237,550 sf (2.0)	136,487 sf (1.15) ²
Sending Property Residential (GFA/ FAR)	n/a	32,718 sf (0.28) ¹
Pre-MPDU Bonus Residential Density Subtotal (GFA)	n/a	252,556 sf
MPDU Bonus Density (GFA): 22% of Subtotal		55,562 sf
Total Residential Density (GFA/FAR)		308,118 sf (2.59)
Total (GFA/FAR)	356,325 sf (3.0)	444,605 sf (3.74) ³
MPDU requirement	15%	15%
Building Height, max. average	90 ft ²	90 feet ^{5,6}
Building Height, max.	187 ft	187 ft
Public Open Space (min sf)	10%	11% (8,900 sf)
Minimum Setbacks (ft)		
Front	0	0
Front	0	0
Front Side	0	0

¹ 3,087 square feet of commercial density and 1,242 square feet of residential density to remain at Sending Property.

² Commercial Density includes 125,472 square feet of existing hotel to remain and up to 11,015 square feet of additional non-residential density for the first floor of the proposed development.

³ Proposed Residential and Commercial density reflects ‘up to’ however the combination of each will not exceed 444,605 square feet.

⁴ Section 59.4.5.2.C.1 of the Zoning Ordinance allows residential density to be increased above the mapped residential.

⁵Section 59.4.5.2.D of the Zoning Ordinance allows provisions for “T” zones, allowing height on a portion of the building to be increased above the number following the H on the zoning map so long as the average height of the building is no greater than the maximum height allowed by the mapped zone. Final maximum building height to be determined at Site Plan. FAR by 22 percent for any application that includes more than 12.5 percent of the gross residential floor area as MPDUs.

⁶Section 59.4.9.2.C.7 of the Zoning Ordinance eliminates the height requirement to the extent necessary to provide MPDUs beyond 12.5 percent. Final maximum height to be determined at Site Plan.

Table 5: 5500 Wisconsin Avenue Site Plan Data Table for CR-3.0, C-2.0, R-2.75, H-90T Zone, Optional Method, Section 59.4.5.3.C. Continued

Development Standard	Permitted/ Required	Proposed
Vehicle Parking (min./max)		
Hotel	79/343	
Residential	150/402	
Retail	31/66	
Total	260/811	340 ¹
Bicycle Parking (short-term/long-term)		
Residential	95/5	
Hotel	23/0	
Retail	1/1	
Total	6/119	6/121
Loading	1	1

¹Section 59.6.2.3.1.5. permits additional reductions to the minimum parking spaces required (.5 for efficiency, .5 for 1-bedroom, and .75 for 2-or-more-bedroom units) for unbundling residential parking spaces.

ii. **Division 4.7 Optional Method Public Benefits**

In accordance with the Zoning Ordinance, Section 59.4.7.1, the Site Plan proposes 150.73 public benefit points in five categories to satisfy the requirements: Connectivity and Mobility, Diversity of Uses and Activities, Quality Building and Site Design, Protection and Enhancement of the Natural Environment.

Table 6: Public Benefit Calculations- Division 59-4.7

Public Benefit	Maximum Points Allowed	Proposed
Transit Proximity	40	30
Connectivity and Mobility		
Minimum Parking	10	8.63
Through-Block Connections	20	20
Diversity of Uses and Activities		
Enhanced Accessibility	20	4
Moderately Price Dwelling Units	N/A	30
Quality Building and Site Design		
Architectural Elevations	20	15
Exceptional Design	10	7
Public Open Space	20	1.26
Structured Parking	20	18.48
Protection and Enhancement of the Natural Environment		
Building Lot Terminations (BLT)	25	6.36
Recycling Facility Plan	10	10
Total Points		150.73

TRANSIT PROXIMITY

Level 1: The Applicant requests 30 points for locating new development near transit stops. Level 1 allows up to 50 points based on proximity to an existing or master planned Metrorail station. The Property is located within ¼-mile from the Friendship Heights Metro Station; therefore, Staff recommends 30 points.

CONNECTIVITY AND MOBILITY

Minimum Parking

The Applicant requests 8.63 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on-site. Staff recommends 8.63 points.

$$[(A-P)/(A-R)*10]$$

$$A \text{ (maximum permitted spaces)} = 811$$

$$R \text{ (minimum required spaces)} = 260$$

$$P \text{ (proposed spaces)} = 340 \text{ (Max)}$$

$$[(811-340)/(811-260)]*10 = 8.63$$

Through-Block Connection

The Applicant requests 20 points for providing a through-block connection from Wisconsin Avenue to The Hills Plaza. Through-block connections are intended to create safe and attractive pedestrian only connections between streets. While the proposed through-block connection would not be exclusive to pedestrians, the connection will serve as an important access to the Friendship Heights Community Center and is envisioned as a flush curb street that will prioritize pedestrians. The vehicular travel pattern has been restricted to one-way (as opposed to the two-way movements proposed during the Sketch Plan) and the vehicular travel lane has been significantly narrowed (from 20 feet, previously proposed, to 12-16 feet). This, in combination with the activating ground floor uses that line the shared street, will create an inviting space that will draw people through the block. Importantly, the Applicant has also eliminated the previously proposed arcades, so the shared street will be open aired for the full 55-foot width (with the exception of the small existing arcade at the hotel entrance that is a structural design element and cannot be eliminated). The shared street will be open to the public at all times. Catenary lights have been incorporated overhead to provide a ceiling to this space and facilitate evening use. Staff recommends 20 points for this category.

DIVERSITY OF USES AND ACTIVITIES

Enhanced Accessibility for the Disabled

The Applicant proposes a minimum of four of the units will meet American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard. As such, the Applicant is seeking 4 points for enhanced accessibility for the disabled, per the calculation below:

$$(A/T)*300$$

$$A \text{ (ANSI 117.1 units)} = 4$$

$$T \text{ (total units)} = 300$$

$$(4/300) * 300 = 4 \text{ points}$$

Staff recommends 4 points for this category.

Affordable Housing

The Applicant requests 30 points for providing 15 percent Moderately Priced Dwelling Units. While 15 percent MPDUs is the requirement for areas of the County where 45 percent of the census tracts have a median income of 150 percent of the County's AMI, the Applicant is still eligible to receive public benefit points for the provision of 15 percent MPDUs. Per the Zoning Ordinance, 12 public benefit points are available for every 1 percent of MPDUs greater than 12.5 percent. As such, the Project is seeking 30 points from this category³. Staff recommends 30 points for this category.

Total Units Provided = 300 units

MPDU's at 12.5% = 38 units

Total MPDU's provided = 45 (15.0%)

Formula = $(15.0 - 12.5) \times 12 = 30$ points

QUALITY OF BUILDING AND SITE DESIGN

Architectural Elevations

The Applicant requests 15 points for providing architectural elevations as part of the Certified Site Plan showing particular elements of the design such as minimum amounts of transparency, maximum separation between doors, and other design priorities of the applicable Sector Plan and implementing design guidelines. The new building will be designed to provide attractive, well-proportioned faces to the public realm of streets, parks, and shared street. The increase of activity along the streets will create pedestrian interest, give scale to open spaces, and ultimately provide for greater public safety through eyes on the street. The ground floor has been designed to provide ample transparency and articulation, while activating and enhancing the pedestrian environment. Furthermore, the building incorporates various building materials, and horizontal and vertical plane changes, to help break down the perceived mass of the building. The Applicant agrees to be bound by the following design parameters:

- Minimum of 60 percent transparency on the ground floor of the three exterior public roads;
- Minimum of 40 percent transparency on the ground floor of the shared street; and
- Minimum of 60-foot separation between operable doors on Retail frontages and the shared street; Staff agrees that these design elements will together reduce the perceived mass, enhance the pedestrian comfort and neighborhood compatibility. Staff recommends 15 points for this category.

³ Public benefit points are available for providing MPDUs above 12.5%, even though the Project is required to provide 15% MPDUs under Chapter 25-A. (Section 4.7.1.B).

Exceptional Design

The Applicant requests seven points for building and/or site design that enhances the character of a setting. The design of the future mixed-use development and the relationship to the future shared street responds uniquely to the surrounding context and provides an enhanced space for pedestrians and members of the community. The Project meets all of the criteria established by the Zoning Ordinance and the Commercial/Residential and Employment Incentive Density Implementation Guidelines for Exceptional Design. The Exception Design criteria are addressed below:

1. *Providing innovative solutions in response to the immediate context.*

The building responds and addresses the context of its surroundings. The building's architecture and massing respond to both the transit-oriented nature of its location, along the Wisconsin Avenue corridor, and the relationship to the existing buildings and partially to the park within The Village of Friendship Heights. The building massing has been strategically designed to step back to preserve view corridors between The Village and Wisconsin Avenue and to allow for light and air to freely flow in the east to west directions.

Two, seven-story masses along the northern and southern sides of the central tower, which wraps around the eastern and western sides, hold the urban edge and street wall along Wisconsin Avenue and The Hills Plaza. This seven-story mass acts as a shoulder that breaks down the scale of the larger tower mass creating a street wall that is intentionally lower than most of the neighboring buildings. This shoulder creates a mid-rise elevation that is less than half the height of the 15-17 story buildings that create the context within which this project sits. This mid-rise height relates to lower scaled buildings created throughout the neighborhood over time.

The "tower" of the building rises from the seven-story shoulders to the 18th floor. The tower is oriented in an east-west direction, which allows for a narrow profile on the two primary streets of Wisconsin Avenue and The Hills Plaza. This narrowness is accentuated by bifurcating the tower mass into two parts and stepping the south-facing portion back 8 feet and the north-facing portion back 15 feet. This bifurcation visually splits the tower through colors and slight setbacks into two slender elements and provides a distinct silhouette to both Wisconsin Avenue and The Hills Plaza.

The building design provides an improved and compatible relationship to the confronting Hubert Humphrey Park. The ground floor façade along The Hills Plaza has been designed to provide ample transparency and articulation. This transparency, along with the operable windows proposed for a portion of this façade, will provide visual connections between the public realm and the active residential uses within this portion of the building. Although the lobby entrance is physically located along the shared street, the façade has been designed to

create an architectural entry feature that wraps the corner onto The Hills Plaza to visually define this corner and direct pedestrians to the entrance.

The creation of the shared street also provides an innovative solution that solves the Project's loading demands, while responding to the immediate context. In recognition of the transit-oriented nature of the Property's location, the shared street will minimize disruptions to the surrounding streets to create a continuous, safe, and activated pedestrian environment.

2. *Creating a sense of place.*

The Property is prominently located along Wisconsin Avenue, just north of the Maryland/District of Columbia line. As such, the Property serves as a gateway both to The Village and Montgomery County as a whole. The Project design responds to this context by repositioning a struggling one-story retail site with more contemporary and flexible retail frontage on Wisconsin Avenue and adding new residents within an elegant residential tower. This combination of strengthened retail frontage and injection of additional density, in dynamic and engaging architecture, at a prime site along Wisconsin Avenue, is the strategy for vibrant transformation. This Project will serve as both a hinge and a gateway into The Village from Wisconsin Avenue. The South Park Avenue façade serves as the hinge while the new active shared street serves as a pedestrian gateway.

3. *Enhancing the public realm in a distinct and original manner.*

The Project will significantly enhance the public realm and create a true sense of place that will help to re-enliven the Village of Friendship Heights. The Project proposes significant public use space, including the shared street, which separates the existing hotel component from the new multifamily residential component, all while creating a shared, attractive, pedestrian friendly and meaningful public space. The shared street provides a pedestrian-friendly connection between Wisconsin Avenue and The Hills Plaza, in addition to the streetscape improvements proposed on all of the Site's three street frontages. Collectively, these improvements will help to activate and enliven the public realm, serving as a destination and creating a true sense of place.

The building has been designed to enhance and activate the pedestrian environment and importantly, has been designed to provide a more compatible edge to the Hubert Humphrey Park. On The Hills Plaza, the lower seven-story shoulder serves as the missing "wall" to finally enclose the outdoor "room" of Hubert Humphrey Park. This façade has been designed to provide ample transparency along the ground floor with operable windows along a portion of the façade, to provide a visual connection between the active ground floor residential amenity uses and the confronting park. This shoulder wall is significantly lower than that of the 17-story Highland House West (south wall of the Park) and 16-story Willoughby (west wall of the Park).

Furthermore, the Project's tower has been strategically designed to present a narrow silhouette above the shoulders. The east-west orientation of the tower allows ample light and air to flow around the Project and allow additional visual connections between The Village of Friendship Heights and Wisconsin Avenue.

4. *Introducing materials, forms, or building methods unique to the immediate vicinity or applied in a unique way.*

The massing of the Project has been designed to allow light and air to pass through and around the new residential tower.

The continuous, active base will have generous ceiling heights and ample glazing which floats behind the colonnaded building base, allowing the retail storefronts and residential amenities to have the flexibility, viability, and place-making opportunities found in contemporary urban environments.

The base, shoulders, and tower are clad in metal panels, adorned with balconies, and rendered in a duo-chromatic palette. The color palette is inspired by the simple elegance of the mid-century modern buildings in the area, but elevated by additional layers, textures, and shades of grey. Ultimately, the building is designed to be attractive from varying vantage points including several blocks away, across the street, from the facing park, and up close as a pedestrian.

5. *Designing compact infill development so living, working, and shopping environments are more pleasurable and desirable on a site.*

This infill Project will provide needed, additional residential density within walking distance to various forms of public transportation, including the Friendship Heights Metro Station and several bus routes. The additional residential component will provide needed residents to support the existing and proposed commercial/retail uses within the Village. The Project includes new, more modern ground floor retail uses. This new retail base is designed with high ceilings, expansive storefronts, and market driven depths to accommodate contemporary retail expectations.

6. *Integrating low-impact development methods into the overall design of the site and building beyond green building or site requirements.*

The Project will pursue and integrate many low-impact design elements. The design team will pursue engineered, vegetated, and integrate innovative materials to enhance the Project. The existing portion of the building, to be demolished, is roughly a 0.96-acre hard surfaced roof, currently used as a parking deck. It is being replaced with a sculpted, multi-level, 18-story residential high-rise building, with modern ground floor retail. The Project will help to reinvigorate retail within The Village, which will allow existing and future residents to access

more basic services within walking distance. Additionally, the residential component of the Project, in close proximity to the Friendship Heights Metro Station will promote alternative methods of transportation.

On the roof of the various lower-level step-backs, vegetated roofs will be installed as much as possible to maximize green coverage. On the main tower roof, the various viewing terraces and amenity pool deck will be accentuated and distinguished by vegetated and planted beds of landscape to further enhance the green coverage on-site.

Public Open Space

Under the Optional Method of Development in the CR Zone, the Property's tract area and number of street frontages require the Applicant to provide a minimum of 10 percent of the Site area (or 7,901 square feet) as on-site public use space. The Project will exceed this requirement and will provide approximately 8,900 square feet of public open space (11.3 percent) that will enhance the pedestrian circulation and create opportunities for social gathering. As such, per the calculation below, the Applicant is seeking 1.26 points from this category.

$$(P/N) * 100$$

$$P \text{ (public open space)} = 999 \text{ square feet (above minimum)}$$

$$N \text{ (net lot area)} = 79,012 \text{ square feet}$$

$$999/79,012 * 100 = 1.26 \text{ points}$$

Structured Parking

The Applicant requests 18.48 points for providing structured parking. All of the parking provided on-site will be located in above- or below-grade structured parking. Since the Site Plan seeks approval of a range of parking, the Applicant has conservatively calculated the Structured Parking points on the minimum number of parking spaces, given that if more parking were to be provided, on the higher end of the range, that parking would be located below-grade. Staff recommends 18.48 points for this category.

$$[(A/T)*10]+[(B/T)*20]$$

$$A \text{ (above-grade spaces)} = 36$$

$$B \text{ (below-grade spaces)} = 273 \text{ (min)}$$

$$T \text{ (total spaces)} = 315$$

$$[(36/315 * 10) + [(273/315) * 20] = 18.48 \text{ points}$$

PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT

Building Lot Termination (BLT)

The Applicant requests 6.36 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5percent 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. Based on the density proposed by this Project, the Applicant is required to purchase 0.7069 BLTs, based on the following calculation:

356,325 square feet total new development proposed – (59,387.5 square feet base density) = 296,937.5 square feet of incentive density

296,937.5 square feet x 0.075 = 22,270.31/31,500 = 0.7069 BLTs

Since one BLT is equivalent to nine public benefit points, Staff recommends 6.36 points for this category.

Recycling Facility Plan

The Applicant proposes to incorporate a recycling plan and facilities that will meet or exceed the Executive Regulations 15-04AM and 18-04. In accordance with the CR Incentive Density requirements, five points are appropriate for developments that meet this requirement. The Applicant requests points for providing dedicated recycling containers within the shared street, as well as a paper shredder and a cooking oil container in the trash/recycling room. The Applicant will coordinate with the Department of Environmental Protection on the plan. Staff recommends 10 points for this category.

iii. **Division 59-6 General Development Standards**

(1) Division 6.1 Site Access

All vehicular access will be provided from the private shared street or “shared street” that will bisect the Site. The onsite parking garage and onsite loading areas will be entered from and exited onto the shared street. Motor vehicle traffic will operate in a one-way only configuration of the shared street, entering from The Hills Plaza and existing southbound onto Wisconsin Avenue. To ensure slow speeds for motorists, the vehicular clear zone will be limited to 12 feet wide, with two-foot-wide shoulders on either side. This through zone for vehicles will be delineated by contrasting paving colors and patterns from the rest of the shared street. Planters will also be used to help distinguish between the vehicular travel zone and the pedestrian clear zone, parallel short-term parking spaces and café seating. Confining all vehicular movements to within the Site significantly reduces potential conflicts with other motorists, pedestrians, and bicyclists on the Site’s three frontages.

In the rare cases when the shared street is closed to through traffic for private events, the Wisconsin Avenue egress driveway will be closed, and motorists will exit the Site onto Hills Plaza. This will be clearly communicated with temporary signage and communications with the residents.

Nonconforming (Existing) Site Access

Section 6.1.4.D allows for “[a] maximum of 2 driveways... for every 300 feet of site frontages along any street.” The existing hotel currently has two driveways in front of the main lobby entrance and a third in the rear of the property that have served the hotel for the past 50 years. These driveways are non-conforming today as an existing site condition but were previously conforming under prior zoning standards. The hotel building and existing access points are proposed to remain unchanged by the proposed redevelopment. Section 7.7.1.A.1 allows existing structures, site design, or uses that do not meet the zoning standards on or after October 30, 2014 to be renovated, repaired, or reconstructed so long as the footprint of the structure is not increased. The footprint of the hotel structure on the Site is not proposed to increase, which therefore allows the access points to remain as an existing nonconformity without requiring a waiver of the current requirements.

(2) Division 6.2 Parking, Queuing and Loading

The existing on-site structured parking for the hotel is proposed to remain. The Subject Application proposes a new onsite parking structure for residents only, to be accessed from the shared street. The Applicant will provide between 315 and 340 parking spaces onsite.

Access to the hotel parking spaces is provided on existing driveways on Wisconsin Avenue and The Hills Plaza. These parking spaces and access points are proposed to remain as-is.

Loading and trash collection for the proposed residential tower and ancillary retail will be accessed from the shared street. The Subject Application provided truck turning templates demonstrating there is sufficient space for the design vehicles (SU-30) to enter and exit the shared street without obstruction.

(3) Division 6.3 Open Space and Recreation

Under the Optional Method of Development in the CR Zone (given the Tract area attributable to the Property and number of frontages), the Applicant is required to provide a minimum of 10percent on-site public use space (or 7,901

square feet)⁴. The Project will exceed this requirement and will provide approximately 8,900 square feet of diverse public open space offerings that will enhance the pedestrian circulation and create opportunities for social gathering.

The public open space strategy is comprised of two primary components including: (1) the shared street and (2) streetscape improvements. Additionally, café seating is proposed along the shared street, Wisconsin Avenue, and South Park Avenue. Although these areas have been conservatively excluded from the public open space calculations (although the CR Zone allows a portion of the public open space to be utilized for café seating), this café seating plays an important role in activating and enhancing the public realm.

The Project will provide ample recreational opportunities for future residents. The Applicant is submitting a recreation and amenity analysis, as required by M-NCPPC's Recreation Guidelines and the CR Zone, concurrently with this Site Plan Application. As shown on the recreation analysis, the Project incorporates amenities such as a pool, fitness center, dog cleaning station and indoor community space, to name a few, and exceeds the residential recreational/amenity space requirement.

e) Satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

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 January 24, 2023. There are no known stormwater management facilities existing on the Property. The Application will meet stormwater management goals through green roof and planter boxes to treat stormwater runoff; due to limitations of the Subject Property, a partial waiver was granted by MCDPS. A detailed stormwater management review will occur at the time of detailed plan review and all facilities will be designed using the latest MCDPS guidelines.

⁴ Per Section 4.5.4.B.1 of the Zoning Ordinance, the gross tract area and number of property frontages is used to determine the percentage of open space required. However, "open space is calculated on the net site area." Site is defined in Section 4.1.7.A.2 of the Zoning Ordinance as "an area of land including all existing and proposed lots and parcels in one application, except proposed and previous dedications and rights-of-way."

ii. **Chapter 22A, Forest Conservation.**

The Property is subject to the requirements of Chapter 22A of the Montgomery County Code (the "Forest Conservation Law"). A Natural Resources Inventory/ Forest Stand Delineation No. 420220270 ("NRI/FSD") was prepared for the Overall Property and approved by M-NCPPC on September 14, 2021. The NRI/FSD demonstrates that there is no forest on-site, the Property contains no protected soils, endangered species, or other natural features that would impact development.

A combined Preliminary/Final Forest Conservation Plan has been submitted currently with this Application, which demonstrates the Project's conformance with the Forest Conservation Law. The Project will provide the 0.33 acres of afforestation requirement through a fee-in-lieu payment. This Application is also subject to the Variance provisions of Chapter 22A Forest Conservation Law.

FOREST CONSERVATION VARIANCE

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone ("CRZ") requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise, such resources must be left in an undisturbed condition. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. The proposed project includes disturbance within the CRZs of trees which are subject to a variance due to their size measuring 30 inches DBH or greater.

Variance Request

The Applicant submitted a variance request in a letter dated November 14, 2022. Based on this request, the Applicant proposes to impact one tree considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law; there are no trees proposed for removal.

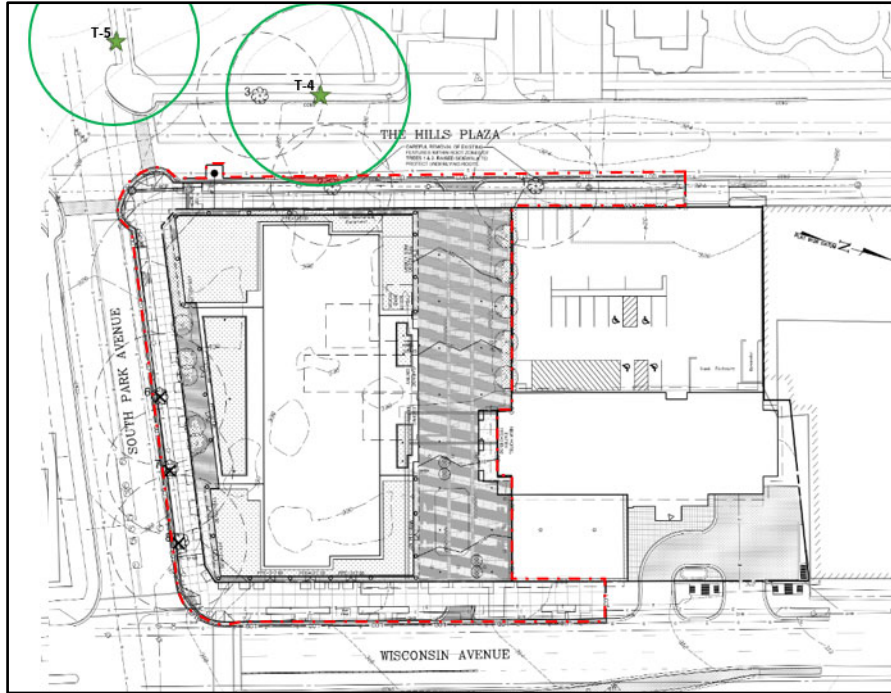


Figure 14 - Variance Tree Exhibit

Table 7 Protected Trees to be Impacted but Retained

TREE #	TYPE	DBH	Percent of CRZ Impacted by LOD	CONDITION	PROPOSED STATUS
4	Willow Oak	36"	1%	Fair	SAVE

Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship results from the necessary sidewalk/curb enhancements proposed as a part of this development. Tree #4, a 36" Willow Oak, is a right-of-way tree located on the opposite side of the road from the limits of disturbance. The Subject Property is currently developed and is currently proposed for redevelopment on half of the Property while maintaining the adjacent hotel portion of the Property. As such, the project is carefully designed to limit disturbance to nearby features to remain. In order to implement master planned sidewalk enhancements, which consists of 10-foot-wide sidewalks and 6-foot-wide street buffers along The Hills Plaza, this minor impact, resulting in a less than 1% disturbance, to the critical root zone of Tree 4 is necessary. Therefore, the Applicant has demonstrated a sufficient unwarranted hardship to justify a variance request.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted.

Variance Findings

To approve the Variance, the Planning Board must find that the Variance:

- 1. Will not confer on the applicant a special privilege that would be denied to other applicants.**

Granting the variance will not confer a special privilege on the Applicant. The specimen tree proposed to be impacted by this work is located within a developed area along the public right-of-way; such a location causes this tree to be subject to periodic disturbance from roadway maintenance and nearby development such as the work proposed by this Application. Critical root zone impacts are unavoidable in order to implement the full scope of the project as described above, however the Applicant will provide appropriate measures to avoid unnecessary impacts to the specimen tree. The variance request would be granted to any applicant in a similar situation. Therefore, the granting of this variance is not a special privilege that would be denied to other applicants.

- 2. Is not based on conditions or circumstances which are the result of the actions by the applicant.**

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions and necessary design requirements of this project which, among other things, includes the requirement to bring the right-of-way into compliance with the recommendations found within the 2021 Complete Streets Design Guide.

- 3. Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.**

The requested variance is a result of the existing conditions on the Property and the associated requirements of the proposed development; the request is not a result of land or building use on a neighboring property.

- 4. Will not violate State water quality standards or cause measurable degradation in water quality.**

The variance will not violate State water quality standards or cause measurable degradation in water quality. The site is not located in the vicinity of a stream buffer, wetland, or special protection area.

The entirety of the area proposed for redevelopment is presently developed with existing buildings and parking infrastructure. The existing conditions have considerable impervious areas with no existing stormwater management. As part of this project, the Applicant is required to meet current MCDPS Stormwater management goals; the approved stormwater management concept has addressed these requirements through the use of green roof and planter boxes. Additionally, the development proposes numerous street tree plantings along vegetated buffers which serve to increase the amount of pervious surfaces as compared to the minimal landscaping current found onsite. Therefore, the project will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provision

Under the variance provisions of Chapter 22A, no mitigation is required for trees that are impacted, but retained. Additionally, as there are no protected trees proposed for removal in association with the Application, there is no required planting mitigation for this project.

Variance Recommendation

As a result of the above findings, Staff recommends that the Board approve with conditions the Applicant's request for a variance from Forest Conservation Law to impact, but retain, one protected tree associated with the Application.

Noise

The Subject Application provides residential units adjacent to an arterial roadway, Wisconsin Avenue, and is therefore subject to the noise regulations associated with residential development. The acoustical analysis included with the Applications shows that the eastern elevations of the proposed building will be exposed to noise levels greater than 65 dBA Ldn. According to Montgomery County's noise regulations for residential development, residential sites and buildings impacted by noise levels above 65 dBA Ldn require further analysis to determine the necessary mitigation measures to maintain noise levels in interior living spaces below 45 dBA Ldn. The acoustical analysis notes that interior noise levels can be maintained at or below the required 45 dBA Ldn by increasing the STC ratings of the exterior building components such as windows and doors. These units require further analysis to determine whether the proposed building architecture will be capable of maintaining interior noise levels below 45 dBA Ldn. The remaining residential units will not be exposed to significant transportation noise levels and do not require mitigation as currently proposed. The Site's future outdoor activity areas will not be exposed to ground level noise impacts greater than 65 dBA Ldn, therefore no mitigation is required for outdoor noise levels. Subject to conditions included in this report, the Applicant will meet the interior noise

specifications. Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The Site Plan is designed to ensure the adequacy, safety and efficiency of the overall development. The Project greatly improves pedestrian circulation both through the streetscape improvements along The Hills Plaza, South Park Avenue and Wisconsin Avenue, and the shared street, which creates an additional connection between The Hills Plaza and Wisconsin Avenue on what is otherwise an oversized block which must be traversed around. The woonerf will provide shared pedestrian and vehicular access with appropriate design elements to moderate pace and circulation for the benefit of the pedestrian.

The Applicant has limited circulation within the woonerf to one-way vehicular movements (entering off The Hills Plaza and existing onto Wisconsin Avenue) and restricted access to the garage to resident ingress only. This controlled garage access will limit the amount of vehicular activity in the woonerf; further, through coordination with The Village, all long-term/scheduled loading will be accommodated outside of the Woonerf in the two dedicated, concealed loading bays.

The woonerf is also a place where pedestrians can move through. The Applicant has designed the building massing, as well as vertical elements within the woonerf, to maximize the open feeling of the space provided by appropriate stepbacks. The woonerf will have generous pedestrian only areas on both sides of the street that will be clearly distinguished through paving patterns/textures and physical separations like raised planters. The woonerf's generous size accommodates these various components and ensures there is ample space for vehicular movements and a safe pedestrian environment.

f) *Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

The Application is in substantial conformance with the goals and recommendations contained in the 1998 *Friendship Heights* Sector Plan. There are no site-specific recommendations for the Property, and thus no height or density limitations recommended by the Sector Plan. Nonetheless, the Project promotes many of the overall goals and recommendations of the Sector Plan. The orientation of the residential building component and shared street provides visual porosity between Wisconsin Avenue and the Village of Friendship Heights. This design, in combination with the three rights-of-way that surround the Property (and provide additional

separation from the confronting buildings), preserves the views from existing high-rise apartment buildings.

Importantly, the Project will encourage economic activity in Friendship Heights by providing a mix of uses on-site, additional residential units to support the existing/proposed retail within the Village, and diverse open space offerings on-site. The Application will preserve and enhance the confronting Hubert Humphrey Park, as demonstrated by the Applicant's shadow studies, the proposed residential building component will not cast any shadows on the Park. Importantly, although no entrance doors are located along The Hills Plaza, the ground floor façade has been designed to help engage the Park and provide a more compatible edge (as compared to the existing, long, blank wall). The Application also promotes the environmental goals of the Sector Plan through this transit-oriented development and provision of stormwater management, on a site where there currently is none.

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

The public facilities will be adequate to accommodate the proposed development. The location of the Project, in close proximity to the Friendship Heights Metro Station and other transit facilities, ensures that a significant portion of the Project's users will rely upon transit for purposes of accessing the site.

Local Area Transportation Review (LATR)

The previous use on the Site was a retail store measuring 49,292 square feet. The proposed 300 high-rise residential units with 11,015 square feet of retail are estimated to generate a net increase of 48 person trips in the morning peak hour and a net decrease of 95 person trips in the evening peak hour. The 2020-2024 *Growth and Infrastructure Policy* (GIP) requires a transportation impact study (TIS) for any project that is estimated to generate a net increase of 50 or more person trips in either the morning or evening peak hours. The Site is located within a Red Policy Area, which means that if a TIS is required, the Application is exempt from providing a motor vehicle adequacy study.

Staff reviewed the submitted transportation exemption study and agreed that it complied with the trip generation analysis methodologies as outlined in the GIP and

the LATR Guidelines. As stated previously the Project estimates an increase of 48 net new person trips in the morning peak hour, which is fewer than 50. Therefore, the LATR review is satisfied with a transportation exemption statement. A summary of the trip generation analysis is shown in Table 8 below.

Table 8: Trip Generation Analysis

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates Friendship Heights CBD Policy Area		Total Person Trips	
		AM	PM	AM	PM	AM	PM
Existing	49,292 SF Shopping Plaza (no supermarket)	86	256	63	187	119	354
Proposed	300 Residential Units (High-rise)	85	102	66	80	131	159
	11,015 SF Strip Retail (<40ksf)	26	73	19	53	36	100
	Subtotal	111	175	85	133	167	259
Net Change						48	-95

Source: Transportation Exemption Statement from Wells and Associates., December 13, 2022, modified by staff

Overview and Applicable School Test

The Subject Application is scheduled to come before the Planning Board on April 13, 2023. Therefore, the FY23 Annual School Test, approved by the Planning Board on June 16, 2022 and effective July 1, 2022 is applicable to this application. This plan proposes 300 multifamily high-rise units.

School Adequacy Test

The project is served by Westbrook Elementary School, Westland Middle School, and Bethesda-Chevy Chase High School. Based on the FY23 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 9. Applicable FY2023 School Adequacy.

School	Projected School Totals, 2026				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	Percent Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Westbrook ES	615	546	88.8%	+69	No UPP	154	192	285
Westland MS	1,105	782	70.8%	+323	No UPP	449	544	710
Bethesda-Chevy Chase HS	2,457	2,356	95.9%	+101	No UPP	281	593	961

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY23 Annual School Test, Westbrook Elementary School, Westland Middle School, and Bethesda-Chevy Chase High School do not require any UPP as identified in Table 9. If the project is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the proposed plan, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of 300 multifamily high-rise units that are not age-restricted, the proposed project is estimated to generate the following number of students based on the subject property’s location within an Infill Impact Area:

Table 10. Estimated Student Enrollment Impacts.

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	0	0.195	0.000	0.096	0.000	0.139	0.000
SF Attached	0	0.166	0.000	0.091	0.000	0.116	0.000
MF Low-rise	0	0.059	0.000	0.023	0.000	0.032	0.000
MF High-rise	300	0.034	10.200	0.015	4.500	0.016	4.800
TOTALS	300		10		4		4

As shown in Table 10, on average, this Application is estimated to generate 10 elementary school students, four middle school students and four high school students. The estimated number of students generated do not exceed the adequacy ceilings identified for each school in Table 9. Therefore, no additional UPPs are required, and neither are partial payments across multiple UPP tiers.

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

The Site is not located within a rural residential or residential Zone.

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

The Applicant has worked to ensure that the Subject Application is physically compatible with, and not detrimental to, existing and future development surrounding the Property. The Project uniquely responds to its various contexts. The approved building massing, refined by the Subject Site Plan, has been designed to preserve views from the Village to Wisconsin Avenue. The Project incorporates ground floor retail and other street activating uses, which in combination with the shared street and streetscape improvements, will help encourage economic activity in Friendship Heights. Additionally, the proposed residential development will help support and ensure the success of the proposed retail, as well as other retail/restaurant uses within Friendship Heights.

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

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

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

Not applicable, the Subject Property was not zoned C-1 or C-2 on October 29, 2014.

SECTION 7: COMMUNITY OUTREACH

The Applicant held a pre-submittal public meeting on November 3, 2022 related to the Site Plan. The meeting was conducted virtually per COVID-19 Guidelines and has complied with all submittals and noticing requirements. In addition to the required public meeting, the Applicant has conducted additional outreach via meetings and electronic engagement. The Applicant maintains a website

(5500wisconsin.com) with more than 1,700 unique visitors to date, to announce upcoming meetings, answer questions, and build awareness of the Subject Application.

As of the date of this Staff Report, staff has received eight emails and three letters in support of the project and none in opposition.

SECTION 8: CONCLUSION

As conditioned, the Sketch Plan Amendment 32022001A and Site Plan 820230040 applications both satisfy the findings under Sections 59.7.3.3 & 7.3.4 and the applicable standards of the Zoning Ordinance, substantially conform to the recommendations of the 1998 *Friendship Heights Sector Plan*. Therefore, Staff recommends approval of the Sketch Plan Amendment 32022001A and Site Plan 820230040 Plan with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Sketch Plan No. 320220010 resolution

Attachment B: Site Plan

Attachment C: Agency Letters

Attachment D: Community Correspondence