

VICINITY MAP
SCALE: 1" = 2,000'

- The Sketch Plan drawings are conceptual only and represent proposed development in an illustrative manner. Final building locations, dimensions, heights, uses, phasing, density, parking, unit mix, development standards and programs shall be determined at time of site plan application.

List of Changes for 32020001A

- Revised building architecture inserted into plan.
- Dimension updates based on revised building architecture and facades.
- Building labels were updated based on revised architecture and locations of internal uses being shifted. Ground floor SF number was updated.
- Garage and loading access areas were updated based on revised building architecture.
- Update open space chart
- Update streetscape and public open space hatching area
- Update pedestrian movement circulation
- Update vehicular circulation
- Main entrance location update
- Fire Control Room location update

LEGEND

- Sketch Plan Limits
- Surrounding Buildings
- Proposed Building
- Existing Road

- Building Height Allowed
Building Height Illustrated
- Conceptual Doorway Location

Note:
Existing building to be demolished as part of this project.

SCALE: 1" = 20'



7340
WISCONSIN
AVENUE

Owner:
**Bainbridge Wisconsin
Avenue Apartments, LLC**
c/o The Bainbridge Companies
7700 Wisconsin Avenue, Suite 410
Bethesda, MD 20814
301-222-0060
Contact: Neil Goradia

Applicant:
**Greystar Development East,
LLC**
8405 Greensboro Drive
Suite 500
McLean, VA 22102
703.714.1401
Contact: Patrick Lyons

Design Team:
Attorney:
Lerch, Early & Brewer, Chtd.
7600 Wisconsin Avenue
Suite 700
Bethesda, MD, 20814
301.986.1300
Contact: Patricia Harris

Architect:
SK+I Architecture
4600 East-West Highway, Suite 700
Bethesda, MD 20814
301.654.3300
Contact: Andy Czajkowski

Landscape Architect:
LandDesign
200 South Peyton Street
Alexandria, VA 22314
703.549.7784
Contact: Matthew Clark

Traffic Engineer:
Lenhart Traffic Consulting
645 Baltimore Annapolis Boulevard,
Suite 214
Severna Park, MD 21146
410.216.3333
Contact: Nick Driban

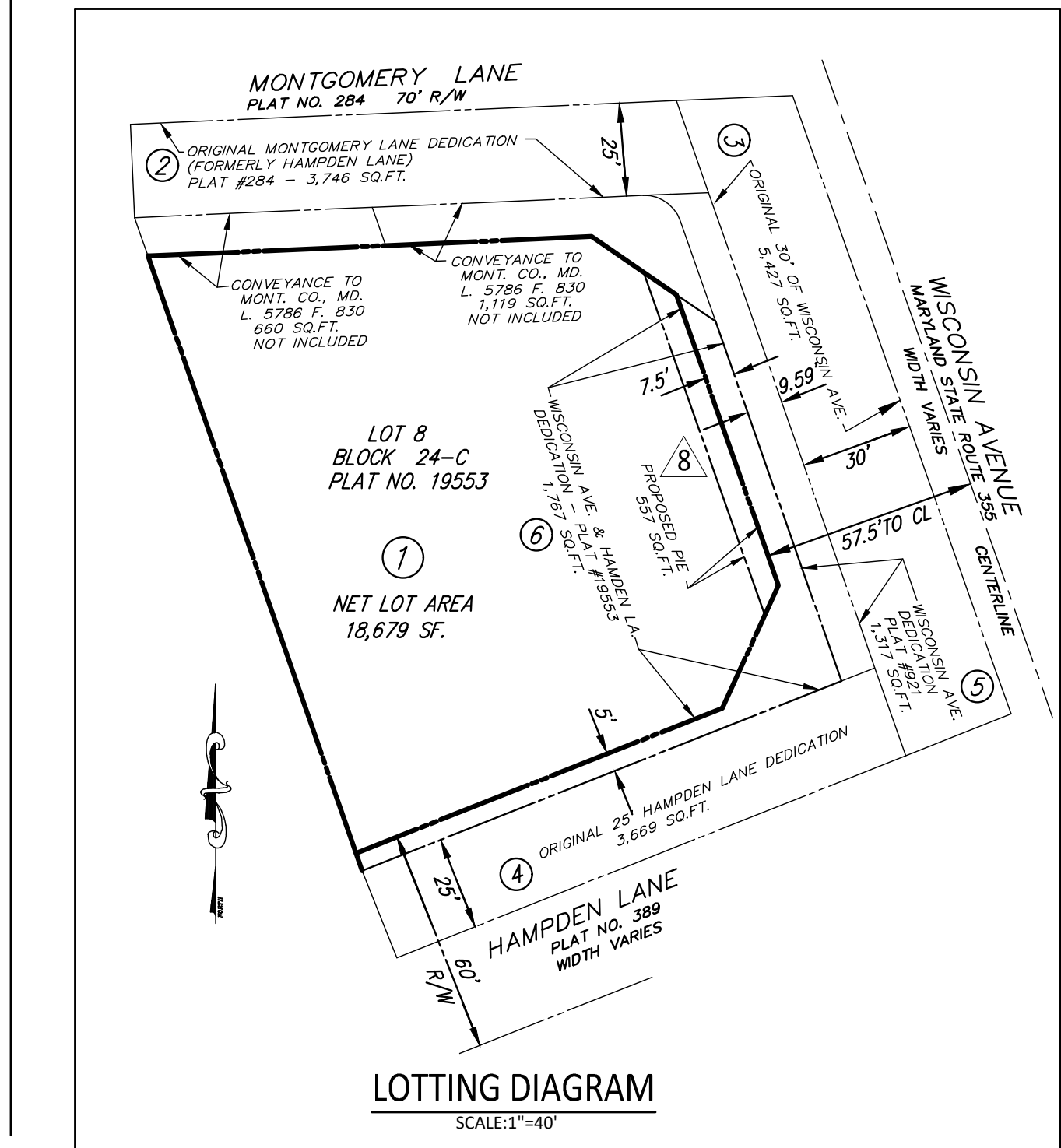
**Land Planners/
Civil Engineers:**
Vika Maryland, LLC
20251 Century Boulevard,
Suite 400
Germantown, MD 20874
301.916.4100
Contact: Michael Goodman, PE

| Δ | Date | Revision |
|---|------|----------|
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SKETCH
PLAN






SHEET NO.
SK-100

32020001A

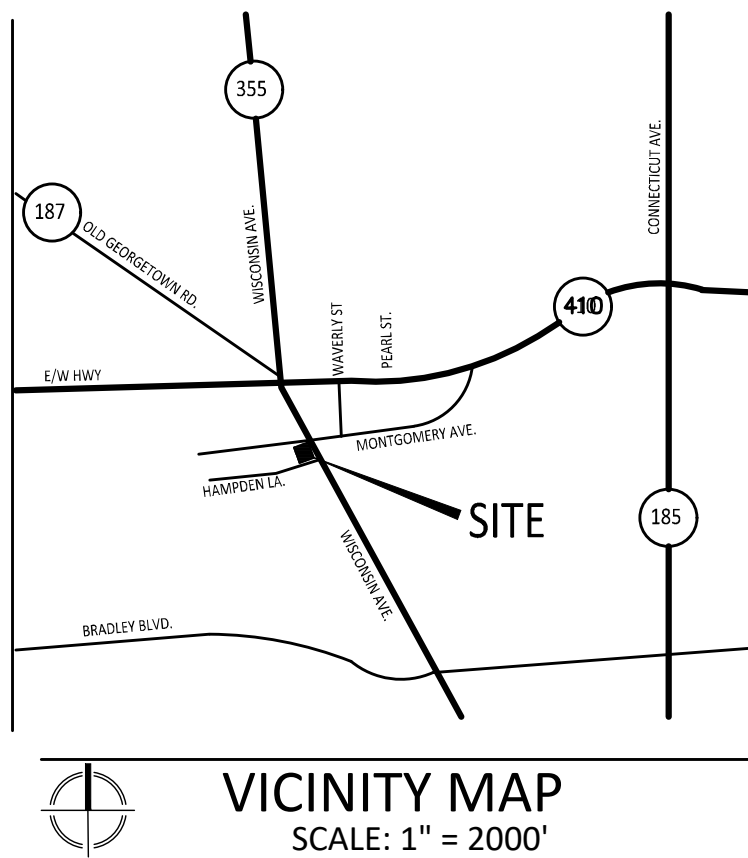
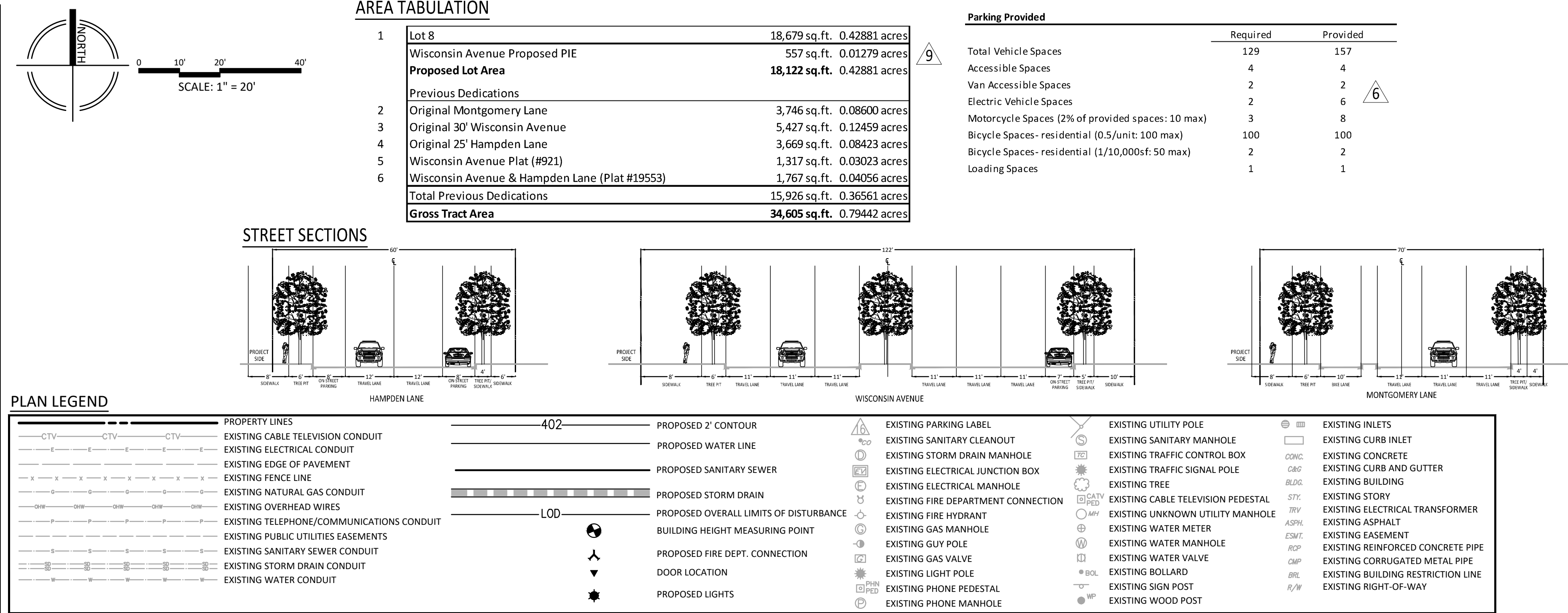


| Zoning Ordinance Development Standard | Permitted/Required per Zoning Ordinance | Approved by Preliminary Plan 11994080B | Preliminary Plan Amendment 11994080C | |
|---|---|--|--------------------------------------|---|
| Gross Tract Area (sf.) | SF. 34,605 | SF. 34,605 | SF. 34,605 | |
| Original Montgomery Lane | | 3,746 | 3,746 | |
| Original 30' Wisconsin Avenue | | 5,427 | 5,427 | |
| Original 25' Hampden Lane | | 3,669 | 3,669 | |
| Wisconsin Avenue (Plat #921) | | 1,317 | 1,317 | |
| Wisconsin Avenue & Hampden Lane (Plat #119553) | | 1,767 | 1,767 | |
| Wisconsin Avenue PIE | | | 557 | 5 |
| Useable Lot Area | | 18,679 | 18,122 | 5 |
| Density, for Mixed-Use Projects- FAR [1] | | | | |
| Base Allowable FAR | 5 | 5 | 5 | |
| Base Allowable GFA | | 173,025 | 173,025 | |
| Proposed Residential GFA | | 167,525 | 258,607 | |
| Proposed Non-Residential GFA | | (up to 225 units) up to 5,500 | (up to 308 units) up to 3,400 | 5 |
| 22% Residential Bonus GFA for 15% MPDUs | | 36,856 | 56,894 | |
| Total residential GFA | | 204,381 | 315,500 | 5 |
| Total residential FAR | | 5.91 | 9.12 | 5 |
| Total Gross Floor Area | | 209,881 | 318,900 | 5 |
| Total FAR | | 6.1 | 9.2 | |
| Public Use Space & Amenity Area | | | | |
| On-site (percent) | 5% | 20% | 8% | |
| On-site (sf.) | 906 | 3,750 | 1,377 | 5 |
| Off-site amenity area (percent) | NA | 26.7% | 0.0% | |
| Off-site amenity area (sf.) | NA | 4,991 | 0 | |
| Total public use space and amenity area (percent) | NA | 47% | 8% | 5 |
| Total public use space and amenity area (sf.) | NA | 8,741 | 1,377 | |
| Maximum Building Height (ft.) [2] | 250 | 143 | 250 | 5 |
| Parking [3] | 309 | 229 | 157 | 5 |
| Minimum Building Setbacks, Minimum (ft.) | | | | |
| Front (Hampden Lane) | 0' | 0' from property line | 0' from property line | |
| Rear (Montgomery Avenue) | 0' | 0' from property line | 0' from property line | |
| West Side | 0' | 0' from property line | 0' from property line | |
| East Side | 0' | 0' from property line | 0' from property line | |

- [1] Final unit count, unit mix, and square footage of residential and non-residential uses, parking required and parking to be provided, and bike racks will be determined at the time of Certified Site Plan. MPDUs will be 15% of the total dwelling units.
- [2] As measured from total of curb along Wisconsin Avenue, as shown on plan. Roof Elevation = 597.15'; Measure Point = 347.15'; Building height = 250'.
- [3] The Property is in the Bethesda Parking Lot District, therefore we can provide reduced or zero parking for all or a portion of the uses subject to payment of PLD tax. Final use allocation, parking space breakdown and PLD application to be determined at the time of Certified Site Plan.

| Parking Tabulations | | | |
|-----------------------------------|------------|-----------------|---|
| Residential | | | |
| Unit Type | # of Units | Spaces per Unit | Parking Spaces |
| Efficiency | 45 | 0.800 | 36 |
| Efficiency MPDU's | 7 | 0.500 | 4 |
| 1 Bedroom | 119 | 0.800 | 96 |
| 1 Bedroom MPDU's | 20 | 0.5 | 10  |
| 2 Bedrooms | 85 | 0.800 | 68 |
| 2 Bedrooms MPDU's | 19 | 0.500 | 10 |
| 3 Bedrooms | 12 | 0.800 | 10 |
| 3 Bedrooms MPDU's | 1 | 0.500 | 1 |
| Base Residential Parking | 308 | | 235  |
| * Parking Reduction | | | 118 |
| Required Residential Spaces | | | 117 |
| | | |  |
| Non-Residential | | | |
| 3,400sf of retail | | 3.5 per 1,000sf | 12  |
| Required Retail Spaces | | | 12 |
| Net Required Parking | | | 129  |
| Net Required Parking (rounded up) | | | 129 |

| Parking Provided | Required | Provided |
|---|----------|----------|
| | | |
| Total Vehicle Spaces | 129 | 157 |
| Accessible Spaces | 4 | 4 |
| Van Accessible Spaces | 2 | 2 |
| Electric Vehicle Spaces | 2 | 6 |
| Motorcycle Spaces (2% of provided spaces: 10 max) | 3 | 8 |
| Bicycle Spaces- residential (0.5/unit: 100 max) | 100 | 100 |
| Bicycle Spaces- residential (1/10,000sf: 50 max) | 2 | 2 |
| Loading Spaces | 1 | 1 |



GENERAL NOTES:

1. THE GROSS TRACT AREA IS 0.79 ACRES.
2. THE SITE IS LOCATED ON WSSC MAP 209NW05.
3. THE SITE IS LOCATED ON TAX MAP HN22.
4. SUBJECT PROPERTY IS ZONED CR-S-0 C-S-0 R-4.75 H-250.
5. THE SUBJECT PROPERTY IS COMPRISED OF THE FOLLOWING:

| LOT NO. | TAX ACCT NO. | LIBER/FOLIO | PLAT BOOK | PLAT NO. |
|---------|--------------|--------------|-----------|----------|
| Lot 8 | 03074804 | L42827.1-197 | 174 | 19553 |
6. THE SUBJECT PROPERTY IS ZONED "Y" (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 24033C045SD, FOR MONTGOMERY COUNTY, MARYLAND, DATED SEPTEMBER 29, 2006.
7. THE HORIZONTAL DATUM IS MARYLAND STATE PLANE [NAD83/93] AND THE VERTICAL DATUM IS NGVD29 PER THE FOLLOWING BENCHMARKS: BM 1608 - BRASS DISC SET VERTICALLY IN SIDE OF STONE POST OFFICE BLDG #8988 WISCONSIN AVE. ELEVATION = 347.43; WSSC CONTRACT DRAWING FOR CHEVY CHASE BAK BUILDING AT CORNER OF WISCONSIN AND EASTWATER HWY: BMH1 = CORNER OF CATCH BASIN, ELEVATION = 348.43; BMH2 = CORNER OF CATCH BASIN, ELEVATION = 348.99.
8. ON-SITE BENCHMARKS:
BM "A" = MAG NAIL IN CURB, ELEVATION = 345.79'
BM "B" = MAG NAIL IN CURB, ELEVATION = 348.25'
9. TOPOGRAPHIC INFORMATION SHOWN HEREIN IS BASED ON FIELD RUN SURVEY DATA BY VIKIA MARYLAND, LLC, DATED DECEMBER 14, 2012.
10. THE SUBJECT PROPERTY IS LOCATED IN THE LITTLE FALLS BRANCH WATERSHED, A USE CLASS I P STREAM.
11. THIS SITE IS NOT WITHIN AN SPA OR PMA.
12. THERE ARE NO PERENNIAL OR INTERMITTENT STREAMS OR THEIR ASSOCIATED BUFFER LOCATED ON THE SUBJECT PROPERTY OR WITHIN THE REMAINDER OF THE NRI STUDY AREA.
13. PER U.S.FISH & WILDLIFE SERVICES' NATIONAL WETLANDS INVENTORY ON-LINE MAPPER (<http://www.fws.gov/wetlands/Data/Mapper.html>) AND FIELD VERIFICATION, THERE ARE NO WETLANDS OR THEIR ASSOCIATED BUFFERS LOCATED ON THE SUBJECT PROPERTY OR WITHIN THE REMAINDER OF THE NRI STUDY AREA.
14. THE WILDLIFE AND HERITAGE DIVISION OF THE MD DNR HAS CONFIRMED IN A LETTER DATED JUNE 10, 2013 THAT THERE ARE NO SPECIES OF SPECIAL CONCERN, RARE, THREATENED OR ENDANGERED SPECIES WERE NOTED DURING THE FIELD WORK.
15. THE SUBJECT PROPERTY IS NOT IDENTIFIED IN THE MONTGOMERY COUNTY HISTORIC PRESERVATION ON-LINE MAPPER. (<http://www.montgomeryplanning.org/gis/interactive/historic.shtml>). NEARBY HISTORIC SITES, BETHESDA POST OFFICE (NAMED) AND THE HOUSE OF THE FUTURE (UNNAMED), BENJAMIN CISELL PERRY OFFICE (ACROSS WISCONSIN AVE) ARE WITHIN THE LIMITS OF THE NRI STUDY AREA BUT WILL NOT BE IMPACTED BY THIS APPLICATION.
16. THERE ARE NO AREAS OF EXISTING FOREST AS DEFINED BY MONTGOMERY COUNTY FOREST LEGISLATION LOCATED ON THE SUBJECT PROPERTY OR WITHIN THE REMAINDER OF THE NRI STUDY AREA.
17. THERE ARE NO SIGNIFICANT TREES WITH DBH 24"-29"ON THE SUBJECT PROPERTY OR WITHIN THE REMAINDER OF THE NRI STUDY AREA.
18. THERE ARE NO SPECIMEN TREES WITH DBH 30" OR GREATER ON THE SUBJECT PROPERTY OR WITHIN THE REMAINDER OF THE NRI STUDY AREA.
19. THERE ARE NO CHAMPION TREES OR TREES 75% OF THE STATE CHAMPION ON SUBJECT PROPERTY OR WITHIN THE REMAINDER OF THE NRI STUDY AREA.
20. THERE IS ONE SOIL TYPE WITHIN THE SUBJECT PROPERTY - 400 URBAN LAND.
21. THIS PLAN IS SUBJECT TO AN EXEMPTION FROM REQUIREMENTS OF FOREST CONSERVATION PLAN, SECTION 4022004AC, APPROVED ON MAY 17, 2022.
22. THE PROJECT IS PROPOSED TO BE SERVED BY PUBLIC WATER & SEWER SYSTEMS, AND IS CURRENTLY IN SERVICE CATEGORIES W-1 & S-1 RESPECTIVELY.
23. FINAL UNIT COUNT, UNIT MIX, AND SQUARE FOOTAGE OF RESIDENTIAL AND NON-RESIDENTIAL USES, PARKING REQUIRED AND PARKING TO BE PROVIDED, WILL BE BASED ON THE USE OF CERTIFIED SITE PLAN. MPDU'S WILL BE 15% OF THE TOTAL DWELLING UNITS.
24. THE NUMBER OF PRIVATE PARKING SPACES WILL BE SET AT CERTIFIED SITE PLAN, SUBJECT TO FINAL BEDROOM MIX & UNIT COUNT.
25. THE CONCEPT SWIM PLAN WAS SUBMITTED TO DOP, AND PROPOSES 3,628 SF GREEN ROOF OVER THE BUILDING ROOFTOP, AND MICRO-BIOFILTERS.
26. A MINIMUM FIVE FOOT (5') FREE AND CLEAR PATH MUST BE PROVIDED AROUND THE PROPERTY FRONTAGE TO MEET ADA REQUIREMENTS.
27. THE RIGHT OF WAY DEDICATIONS, AND PROPOSED PIE REFLECTED ON THIS CERTIFIED PRELIMINARY PLAN REPRESENT THE CONDITIONS AT THE TIME OF PLANNING BOARD APPROVAL FOR AMENDMENT 11954080B.
28. UNLESS SPECIFICALLY NOTED ON THIS PLAN DRAWING OR IN THE PLANNING BOARD CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, ON-SITE PARKING, SITE CIRCULATION, AND SIDEWALKS SHOWN ON THE PRELIMINARY PLAN ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURES AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF SITE PLAN APPROVAL. PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING RESTRICTION LINES, BUILDING HEIGHT, AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD'S APPROVAL.
29. THE APPLICANT MUST OBTAIN WRITTEN APPROVAL FROM MCDPRS FOR THE FINAL DESIGN AND CONSTRUCTION OF ALL STREETScape IMPROVEMENTS WITHIN THE COUNTY RIGHTS-OF-WAY PRIOR TO APPROVAL OF THE SITE PLAN.

List of Changes for 11994080C

5. Revised building architecture inserted into plan.
6. Dimension updates based on revised building architecture and facades.
7. Building labels were updated based on revised architecture and locations of internal uses being shifted. Ground floor SF number was updated.
8. Garage and Loading access areas were updated based on revised building architecture.
9. Update data chart
10. Update parking chart
11. Update pedestrian movement circulation
12. Update lotting diagram
13. Update lotting diagram chart
14. Update utilities



APPLICANT:
Greystar Development East, LLC
8405 Greensboro Drive
Suite 500
McLean, VA 22102
703.714.1401
Contact: Patrick Lyons

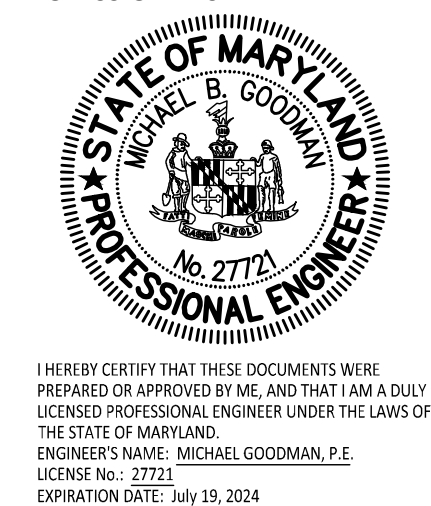
DESIGN CONSULTANTS
LAND PLANNING/CIVIL ENGINEER
VIKA Maryland, LLC
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ARCHITECTS
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Bethesda, MD 20814
301.654.9300
Contact: Andy Czajkowski

LANDSCAPE ARCHITECTS
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200 South Peyton Street
Alexandria, VA 22314
703.549.7784
Contact: Matthew Clark

ATTORNEY
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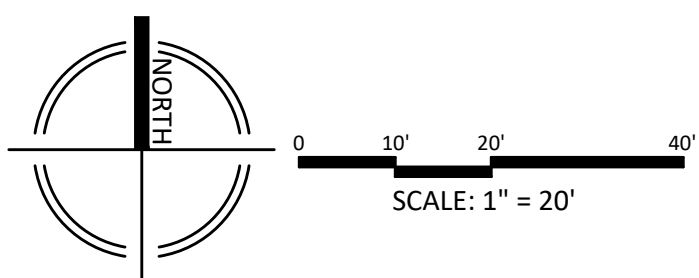
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7340
WISCONSIN
AVE
LOT 8, BLOCK 24C
EDGEMOOR
PLAT NO. 19553

7TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 209NW05
TAX MAP: HN22

PRELIMINARY PLAN
AMENDMENT
11994080C

DRAWN BY: EJS
DESIGNED BY: MBG
DATE ISSUED: 06/06/22

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PLAN LEGEND

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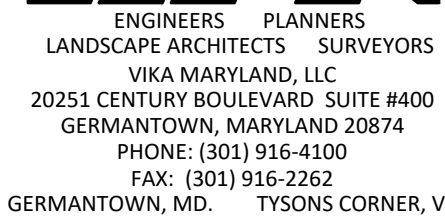
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S S S

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APPLICANT:
**Greystar Development East,
LLC**

8405 Greensboro Drive
Suite 500
McLean, VA 22102
703.714.1401
Contact: Patrick Lyons

DESIGN CONSULTANTS
LAND PLANNING/CIVIL ENGINEER

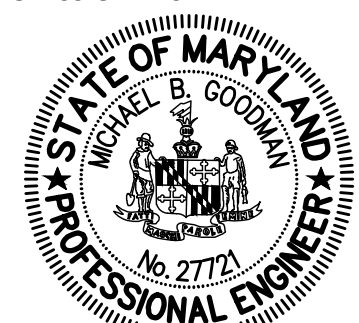
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Contact: Michael Goodman, PE

ARCHITECTS
SK+I Architecture
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Bethesda, MD 20814
301.654.9300
Contact: Andy Czajkowski

LANDSCAPE ARCHITECTS
LandDesign
200 South Peyton Street
Alexandria, VA 22314
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ATTORNEY
Lerch, Early & Brewer, Chtd.
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Contact: Patricia Harris

TRAFFIC ENGINEER
Lenhart Traffic Consulting
645 Baltimore Annapolis Boulevard, Suite 214
Severna Park, MD 21146
410.216.3333
Contact: Nick Driban

[illegible]

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND.
ENGINEER'S NAME: MICHAEL GOODMAN, P.E.
LICENSE No.: 27721
EXPIRATION DATE: July 19, 2024

7340
WISCONSIN
AVE
LOT 8, BLOCK 24C
EDGEMOOR
PLAT NO. 19553

7TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 209NW05
TAX MAP: HN22

OVERALL
SITE PLAN
820230010

DRAWN BY: EJS
DESIGNED BY: MBG
DATE ISSUED: 06/06/22

SHEET NO. SP-2

PLAN NOTES

1. ALL PUBLIC SIDEWALKS ARE ADA COMPLIANT
2. PUBLIC SIDEWALKS ALONG WISCONSIN AVE WILL BE 6' MIN. CLEAR PATH DUE TO THE POTENTIAL FOR CAFE SEATING AT THE RETAIL SPACE.

DEVELOPER'S CERTIFICATE

The undersigned agrees to execute all the features of the Site Plan Approval No. 820230010, including Approval Conditions, Development Program and Certified Site Plan.

Developer's Name: Greystar Development East, LLC

Contact Person: Patrick Lyons
 Address: 8405 Greensboro Drive, Suite 500, McLean, VA 22102
 Phone: 703.714.1401

Signature: _____ Date: _____



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

MCPB No. 20-036
Sketch Plan No. 320200010
7340 Wisconsin Avenue
Date of Hearing: April 30, 2020

MAY 07 2020

RESOLUTION

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

WHEREAS, on November 19, 2019, South Bay Partners, Inc. ("Applicant") filed an application for approval of a sketch plan for construction of up to 315,500 square feet of total development with up to 311,000 square feet for a high-rise senior residential building with independent living, assisted living, memory care, and up to 4,500 square feet ground-floor commercial use on 0.42 acres zoned CR-5.0 C-5.0 R-4.75 H-250 and the Bethesda Overlay Zone, located at the northwest quadrant of the intersection of Wisconsin Avenue and Hampden Lane in Bethesda ("Subject Property") in the Bethesda CBD Policy Area and the 2017 Bethesda Downtown Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320200010, 7340 Wisconsin Avenue ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated April 20, 2020, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on April 30, 2020, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320200010, 7340 Wisconsin Avenue, for construction of up to 315,500 square feet of total development with up to 311,000 square feet for a high-rise senior residential building with independent living, assisted living memory care, and up to 4,500 square feet ground-floor commercial use on 0.42 acres zoned CR-5.0 C-5.0 R-4.75 H-250 and the Bethesda Overlay Zone located at the northwest quadrant of the intersection of Wisconsin Avenue and Hampden Lane in Bethesda, subject to the following binding elements and conditions:¹

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

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

All other elements are illustrative.

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

1. Density

The Sketch Plan is limited to a maximum density of 315,500 total square feet, including up to 311,000 square feet of residential development for senior housing including independent living, assisted living, memory care and up to 4,500 square feet of commercial uses. The maximum number of residential units and use mix will be determined at Preliminary Plan. The maximum density includes up to 146,779 square feet of density from the Bethesda Overlay Zone (BOZ) with a Park Impact Payment (PIP). The final square footages will be determined at Site Plan.

2. Height

The development is limited to a maximum height of 250 feet, as measured from the building height measuring point illustrated on the Certified Site Plan.

3. Incentive Density

The development must be constructed with the public benefit categories listed below unless modifications are made under Section 59.7.3.3.I. of the County code and this Sketch Plan is amended. Total points must equal at least 100 and be

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

chosen from at least four categories as required by Section 59.4.5.4.A.2 of the Zoning Ordinance. The requirements of Section 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. Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance and BOZ overlay, and Streetscape Improvements;
- b. Diversity of uses and activities, achieved by providing Small Business Opportunities and Enhanced Accessibility;
- c. Quality of Building and Site Design achieved through Exceptional Design and Structured Parking.
- d. Protection and Enhancement of the Natural Environment achieved through Building Lot Terminations and Energy Conservation and Generation by incorporating materials and systems that exceed the required minimums.

4. Building Design

The Applicant must submit a revised architectural design concept to the Design Advisory Panel, addressing comments from the panel in their memos dated September 25, 2019 and February 26, 2020, at the time of the Site Plan application submittal.

5. Public Open Space

The Applicant must provide a minimum of 5 percent of the Site area as public open space per section 59.6.3.6. of the Zoning Ordinance, consistent with the Bethesda Downtown Plan and associated guidelines.

6. Park Impact Payment (PIP)

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

7. Streetscape

The Applicant must install the Bethesda Streetscape Standard along the Site Frontage, including any undergrounding of utilities.

8. Transportation

Vehicular access from Montgomery Lane and Wisconsin Avenue is prohibited.

9. Bicycle Lanes

The Applicant must participate in the implementation of the master plan recommended separated bicycle lanes on Montgomery Lane, the scope and manner of which will be determined at Preliminary Plan.

10. Building Lot Terminations (BLTs)

Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.

11. Moderately Priced Dwelling Units (MPDUs)

The Applicant must provide a minimum of 15% of the total number of dwelling units as Moderately Priced Dwelling Units or a DHCA approved equivalent consistent with Chapter 25A.

12. MCDOT letter

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated April 6, 2020 and hereby incorporates them as conditions of the Sketch Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Sketch Plan approval.

13. Fire Department letter

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS"), Fire Department Access and Water Supply Section in its email dated April 16, 2020 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the email, which MCDPS may amend if the changes do not conflict with other conditions of the Preliminary Plan approval.

14. Future Coordination for Preliminary and Site Plan

In addition to any other requirements for Preliminary Plans under Chapter 50 of the County code, and Site Plans under Chapter 59, of the County code, the following must be addressed when filing a Preliminary or Site Plan, as appropriate:

- a. Design Guidelines conformance, as discussed by the Design Advisory Panel, and included in the Sketch Plan Findings;
- b. Loading Management Plan;
- c. Draft Transportation Demand Management Plan;
- d. The Applicant must further develop the site circulation and loading strategy shown on the revised Sketch Plan, and conditioned by MCDOT;
- e. Make good-faith efforts to locate utility vaults on private property where feasible;
- f. Fire and Rescue access and facility details;
- g. Streetscape details;

- h. Necessary public right-of-way dedication;
- i. Identify and address all existing/potential utility conflicts or other site limitations with street trees to achieve the proposed streetscape plantings;
- j. Demonstrate how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- k. Address the recreational amenity requirements;
- l. Address the SITES, LEED, and High-Performance Area recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- m. SWM concept approval (and subsequent plan) which also addresses the Bethesda Downtown Sector Plan recommendations and design guidelines regarding stormwater management;
- n. At the time of Site Plan, the Applicant must address the 35% green cover recommendation of the Sector Plan;
- o. Provide details and cross sections showing appropriate soil volumes (per the Sector Plan and design guidelines) associated with the new plantings associated with this project;
- p. Address the bird-friendly design component of the Design Guidelines; and
- q. At time of Preliminary Plan, provide a noise analysis and/or request a waiver from the noise guidelines.

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

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

a. Development Standards

The Subject Property includes approximately 0.42 acres zoned CR-5.0 C-5.0 R-4.75 H-250 and the Bethesda Overlay Zone. The data table below demonstrates the Application's conformance to the applicable development standards of the zone.

| Sketch Plan Data Table | | | |
|------------------------|--|---------------------|------------------------------|
| Section 59.4 | Development Standard | Permitted/ Required | Approved |
| | Tract Area per Zone | | |
| | CR 5.0 C-5.0 R-4.75 H-250 | n/a | 34,605 sf (0.79 ac) |
| | Prior Dedication | n/a | 5,926 sf (0.37 ac) |
| | Proposed Dedication | n/a | 557 sf (0.01 ac) |
| | Site Area | n/a | 18,122 sf (0.42 ac) |
| | Residential Density (GFA/ FAR) | 164,374 sf (4.75) | 164,374 sf (4.75) |
| | Commercial Density (GFA/FAR) | 173,025 sf (5.0) | 4,347 sf (0.12) ¹ |
| | Bethesda Overlay Zone (BOZ) Density | n/a | 146,779 sf (4.24) |
| | Total FAR/GFA | n/a | 315,500 sf (9.12) |
| | Building Height | | |
| | CR 5.0 C-5.0 R-4.75 H-250 | 250 feet | 250 feet |
| | Public Open Space (min. % of Site Area) | 5 | 5 |
| | Minimum Setbacks (feet) | 0 | TBD at Site Plan |

¹Commercial density may be increased up to 4,500 square feet, in which case the BOZ density will be reduced accordingly. The maximum number of residential uses and non-residential uses will be determined at Site Plan. No combination of residential and non-residential uses may exceed 315,500 square feet of total development.

The Application will provide vehicle and bicycle parking spaces within the building. The amounts will be determined at the time of Site Plan based on the residential units and commercial square footage.

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

- a) *Implement the recommendations of applicable master plans.*

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

1. **Parks and open spaces**, including new civic greens at Veteran's Park, Bethesda Farm Women's Cooperative Market, Capital Crescent Trail and new urban parks, pathways, and gateways.

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

The Property is designated as Site 103 on page 101 of the Sector Plan. The Property is in the "Wisconsin Avenue Corridor District" which is defined as the main artery through the center of Downtown Bethesda. With the existing Bethesda Metrorail Station, future Purple Line, and bus rapid transit (BRT) options, Wisconsin Avenue is a critical focus area for improved access, mobility, and pedestrian safety. The corridor is envisioned as a symbolic downtown center that reflects the character of adjacent neighborhoods and overall identity of Bethesda through innovative building designs and active public spaces. Specifically, the Project addresses the following goals as outlined in the Overarching Goals and Wisconsin Avenue Corridor sections of the Sector Plan:

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

The Project provides an opportunity for infill development of a vacant site within a block of the Metro station, as recommended by the Sector Plan, by converting the area which is now mostly paved and contains a boarded up, one-story commercial building into a mixed-use Project with up to 315,500 square feet for a senior residential building with residential and nonresidential uses including up to 4,500 square feet of commercial.

- *Encourage mixed income/affordable housing near transit stations.*

The Project will provide senior residential dwelling units across the street from an existing entrance to the Bethesda Metro station and

one block from the new Purple Line station (and a new southern entrance to the Bethesda Metro station). The project provides affordable housing in the form of MPDUs. The MPDUs will help to further one of the primary goals of the Sector Plan and Bethesda Overlay Zone thereby ensuring that affordable housing opportunities exist in transit-oriented locations.

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

The Project will place high density residential uses and street activating commercial uses in the core of Downtown Bethesda, incorporating urban design elements that provide visual interest further defining the skyline in the Wisconsin Avenue Corridor District.

- *Economic competitiveness based on new development, public amenities, and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.*

The Project will provide infill redevelopment within the highest intensity center in Downtown Bethesda which is dominated by office buildings and retail that serves the office customer base. The project will help add to the much-needed around-the-clock activity and contribute to a more vibrant mixed-use identity the Metro Core area. The combination of senior residential independent living, assisted living, memory care and ground floor commercial uses along with the associated visitors and staff, will increase the customer base of nearby shops, restaurants, and services in the Metro Core during nighttime and on weekends.

- *Encourage high-performance buildings and sites nearest the established centers.*

The Project will incorporate energy efficient building systems to exceed the ASHRAE 90.1 standard by a minimum of 17.5%, as required by the Bethesda Overlay Zone. In addition, intensive green roof systems will maximize the Property's overall green cover.

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

The Project will redevelop the existing vacant lot that is mostly paved and contains a boarded-up one-story structure and build a mixed-use building with a high-density senior residential building and allow for ground floor commercial uses, all within proximity to the Metro and the Purple Line. The Project meets the objective of this finding.

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

The Project meets this finding by proposing market-rate senior residential dwelling units in a variety of unit types including, assisted living, memory care, as well as 15% MPDUs, offering housing opportunities for a range of incomes proximate to the numerous transit options of Downtown Bethesda. The Project will accommodate all modes of transit including pedestrian, bicycle, and vehicular nearby to the Metro, Purple Line, Capital Crescent trail and bus service. The Applicant must participate in the implementation of the Montgomery Lane separated bicycle lanes. The Project will also improve the streetscape along its three frontages and does not propose any parking between the building and the street frontages.

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

The Sector Plan identifies the Wisconsin Avenue District as an area that should emphasize mixed land uses that focus on employment, high density residential, and distinctive infill buildings. The Project will provide residential uses on-site as well as a height and density that is compatible with the desired character of infill development within the Wisconsin Ave District.

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

The Subject Property is within the Wisconsin Ave District of the Sector Plan, which is intended primarily for the mix of land uses and a focus on integrating residential in an area that is largely dominated by

commercial and office. The mixed-use project containing a high-density senior residential building and commercial uses provides the appropriate land use, as recommended in the Sector Plan.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard Method limit.*

The Project will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

The BOZ was adopted July 18, 2017, specifically to implement the recommendations of the Bethesda Downtown Sector Plan as it relates to density, building heights, affordable housing, parks, and design. The BOZ set a cap of overall development (32.4 million square feet) whereby the zoning approved for most properties retains the base density but increases the heights on respective sites. An Applicant can request an allocation of density over the base density to build to the maximum height permitted by the Zone, as needed. An allocation of density from the BOZ requires a park impact payment of \$11.08/square foot based upon the density requested and facilitates acquisition of parkland in the downtown Bethesda area. This Application is requesting an allocation of up to 146,779 square feet from the BOZ initiating a Park Impact Payment (amount to be determined during Site Plan review) to be paid at the time of building permit. The amount of density allocated from the BOZ for Application is deducted from the 32.4 million cap.

b. General Requirements

i. *Site Access*

All vehicular access to the Site will occur via Hampden Lane in order to eliminate all vehicular access from Montgomery Lane and Wisconsin Avenue. Designing the Site access in this manner is critical to the efficient operations of the adjacent roadways, which carry high volumes of vehicular traffic out of and through downtown Bethesda.

ii. *Parking, Queuing, and Loading*

Parking associated with the residential uses will be contained within a structured below-grade garage, with the final quantity of parking spaces and ingress/ egress into the parking structure determined at Site Plan based on the final number of residential dwelling units.

iii. Open Space and Recreation

The Applicant must provide a minimum of 5 percent of the Site area as public open space, approximately 900 square feet. At this time, the Applicant is proposing public open space along the building fronting on Wisconsin Avenue and a portion of that space is located within the Wisconsin Avenue right-of-way. The Sector Plan recommends that open space requirements less than 10% be addressed offsite (by physical improvement or contribution). The Applicant will continue to evaluate their public open space layout and the details/location of the open space will be determined at the time of Site Plan.

2. The Sketch Plan substantially conforms to the recommendations of the Sector Plan.

As discussed in Finding 1.a above, the Project substantially conforms to the recommendation of the 2017 Bethesda Downtown Sector Plan. The Project will create a senior residential building, mixed-use project with ground floor commercial in an established center of activity within the Wisconsin Avenue District, increase the supply of housing to serve a variety of income levels, redevelop a vacant property, and provide streetscape improvements that enhance the safety and character of Wisconsin Avenue, Hampden Lane and Montgomery Lane.

3. The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.

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

4. The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.

At 250' in height, the building will conform with the Sector Plan's recommendation for height and ultimately be compatible with the surrounding buildings which will be among the tallest in Bethesda. The massing generally conforms with the recommendations of the Bethesda Design Guidelines to ensure compatibility with existing buildings and public

open space. The Applicant has been actively working with Planning Staff and the adjacent property owner to the west on tower separation designs in order to maximize compatibility. Additionally, the Applicant will continue close coordination with the DAP.

5. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Vehicular access to the Site will occur via Hampden Lane in order to eliminate all vehicular access from Montgomery Lane and Wisconsin Avenue. Designing the Site access in this manner is critical to the efficient operations of the adjacent roadways, which carry high volumes of vehicular traffic out of and through downtown Bethesda. Parking associated with the residential uses will be contained within a structured below-grade garage, with the final quantity of parking spaces and ingress/ egress into the parking structure determined at Site Plan based on the final number of residential dwelling units.

Pedestrian access will be improved through the providing of upgraded streetscape elements and a new urban building with street frontage, further details of which will be determined at the time of Site Plan.

As part of the frontage improvements associated with this Project and in coordination with an active Montgomery County Department of Transportation project, Montgomery Lane will be improved with a new two-way separated bicycle lane along the Subject Property. This separated bicycle lane will be coordinated with the frontage improvements associated with 7359 Wisconsin Avenue (The Avocet Tower), located across Wisconsin Avenue to the east. Additionally, conceptual designs for a forthcoming development application to the west of the Subject Application have similarly eliminated vehicular access from Montgomery Lane to contribute to a safe and efficient adjacent roadway network. As conditioned, the Applicant must participate in the implementation of the separated bicycle lanes, the scope and manner of which will be determined at Preliminary Plan.

6. *The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Taking into account the considerations in Section 59.4.7.1.B and the Public Benefit Points established with the Bethesda Overlay Zone in Section 59.4.9.2.C.4, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation

Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site, as described below. Final determination of public benefit point values will be determined at Site Plan(s).

For the development, the Zoning Ordinance requires at least 100 points in four categories. Although at the time of Sketch Plan review only the categories need be approved, the following Public Benefits Table shows both the categories and points for the public benefits requested at Sketch Plan to demonstrate the Project's ability to meet the requirement to provide sufficient benefit points.

| Public Benefits Table | | |
|---|--------------------------|---------------------|
| Public Benefit Category | Incentive Density Points | |
| | Max Allowed | Approved in Concept |
| 59.4.7.3C: Connectivity and Mobility | | |
| Minimum Parking ¹ | 20 | 14.80 |
| Streetscape Improvements | 20 | 3.92 |
| 59.4.7.3D: Diversity of Uses and Activities | | |
| Small Business Opportunities | 20 | 10 |
| Enhanced Accessibility | 20 | 6 |
| 59.4.7.3E: Quality of Building and Site Design | | |
| Exceptional Design ¹ | 30 | 30 |
| Structured Parking | 20 | 20 |
| 59.4.7.3F: Protection and Enhancement of the Natural Environment | | |
| Building Lot Termination (BLT) | 30 | 3.05 |
| Energy Conservation and Generation ¹ | 25 | 15 |
| TOTAL | | 102.77 |

¹Denotes Sector Plan priority

Connectivity and Mobility

Minimum Parking: The Applicant requests 14.80 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. Final determination will be made at Site Plan. The Planning Board supports the category at this time.

Streetscape Improvements: The Applicant requests 3.92 points for off-site streetscape improvements associated with the project scope. The dedicated right-turn lane at the intersection of Montgomery Lane and Wisconsin Avenue will be eliminated and converted to expanded sidewalk area in support of the Montgomery Lane separated bicycle lanes and improved pedestrian accommodation. In connection with the Project, the Applicant is proposing substantial streetscape improvements to this portion of the right-of-way, to enhance the pedestrian environment. This is above and beyond the typical streetscape improvement that would be required along the Property frontage. Therefore, the Applicant is seeking 3.92 points for this improvement. The off-site portion (excluding the separated bicycle lanes) measures approximately 710 square feet. The Planning Board supports the category at this time.

Diversity of Uses and Activities

Small Business Opportunities: The Applicant requests 10 points for providing commercial space for small businesses. Points for this incentive are granted when the project will be designed for small, neighborhood-oriented businesses and the Applicant records covenants that reflect these restrictions. The Project is currently reserving all the 4,500 square feet of commercial space for small businesses. The Planning Board supports the category at this time.

Enhanced Accessibility: The Applicant requests 6 points for constructing dwelling units with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent county standard. The Applicant currently anticipates that a minimum of twelve (12) of the independent living units (4 more than required) will meet American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard. Public Benefit points are sought for only the ANSI A117.1 units that are provided above the minimum required. The Applicant will need to coordinate with Planning Staff on meeting this public benefit and points will be reevaluated at the time of Site Plan.

Quality of Building and Site Design

Exceptional Design: The Applicant requests 30 points for building and/or site design that enhances the character of a setting. As a site receiving an allocation of Bethesda Overlay Zone density, the Project is subject to the Design Advisory Panel review, which will award points based on the quality of the design. The Project seeks approval of 30 Public Benefit Points for Exceptional Design. The Applicant asserts that the Project provides innovative solutions in response to the immediate context; creates a sense of place and serves as a landmark; enhances the public realm in a distinct and

original manner; introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way; designs compact, infill development so living, working and shopping environments are more pleasurable and desirable on a site; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements, as specified in the Zoning Ordinance and Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines. The Project's conformance with these criteria will be further refined at the time of Site Plan.

The project was presented to the Design Advisory Panel (DAP) on September 25, 2019. The panel supported the project overall and made several recommendations. The design was subsequently revised under further coordination with Planning Staff and the adjacent property owner. A second Design Advisory Panel meeting was held for the project on February 26, 2020 and the revised plan was well received with the following recommendations:

- The design has significantly improved. If the Applicant can do the splayed option with the western façade, that would be a huge improvement.
- The Panel maintains the original vote (of unanimous support) taken at the September 25, 2019 meeting. The project is on track to receive the minimum 10 points.

The Planning Board supports the category of Exceptional Design and the requested points at this time.

Structured Parking: The Applicant requests 20 points for providing structured parking in a below grade parking structure. 50 parking spaces are being provided, all below grade. The Planning Board supports the category at this time.

Protection and Enhancement of the Natural Environment

BLTs: The Applicant requests 3.05 points for the purchase of 0.339 BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. The Planning Board supports the category at this time.

Energy Conservation and Generation: The Applicant requests 15 points for incorporating high efficiency building materials and mechanical systems that exceed energy efficient standards for the building type by 17.5%. For Projects

located within the High-Performance Area of Downtown Bethesda, this is a required public benefit category for which the Applicant must achieve 15 points. The Planning Board supports the category at this time.

7. The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.

The project will be developed in one phase.

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

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

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of 7340 Wisconsin Avenue 320200010, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAY 07 2020 (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson and Commissioners Cichy, Patterson, and Verma voting in favor, and Vice Chair Fani-González absent at its regular meeting held on Thursday, April 30, 2020, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

Date of Mailing: July 11, 1994



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Action: Approved Staff Recommendation
(Motion of Comm. Richardson, seconded by Comm. Baptiste,
with a vote of 4-0; Comms. Richardson, Baptiste, Aron,
and Hussmann voting in favor with Comm. Floreen being
absent).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-94080
NAME OF PLAN: EXXON STATION

On 04-13-94, EXXON CORPORATION, submitted an application for the approval of a preliminary plan of subdivision of property in the CBD2 zone. The application proposed to create 0 lots on 1364.00 SQ FEET of land. The application was designated Preliminary Plan 1-94080. On 06-09-94, Preliminary Plan 1-94080 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-94080 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-94080, subject to the following conditions:

- 1) Compliance with Environmental Planning Division approval regarding the requirement of the forest conservation legislation (as part of the preliminary plan). Applicant shall meet all conditions prior to recording of plat or MCDEP issuance of sediment and erosion control permit, as appropriate
- 2) Agreement with Planning Board to limit development to 1,705 square feet of Automobile Filling Station and Convenience Store as approved by BOA Case No. S-2066
- 3) Dedication to be in accordance with the requirements of the adopted Bethesda Sector Plan including urban truncation of corners
- 4) Access and improvements as required by MDSHA and MCDOT
- 5) Prior to MCPB release of building permit submit verification of participation in the Bethesda Streetscape Program
- 6) Conditions of MCDEP stormwater management approval dated 6-18-94

7) Necessary easements

This preliminary plan will remain valid until August 11, 1997. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed.



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

DEC 26 2013

MCPB No. 13-168
Preliminary Plan No. 11994080A
7340 Wisconsin Avenue
Date of Hearing: December 12, 2013

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on June 9, 1994, the Planning Board approved Preliminary Plan No. 119940800, creating one lot on 0.79 acres of land in the CBD-2 zone, located on the south side of Montgomery Lane, west of Wisconsin Avenue (MD 355) ("Subject Property"), in the Bethesda CBD Policy Area, Bethesda CBD Sector Plan ("Sector Plan") area; and

WHEREAS, on August 27, 2013, Bainbridge Wisconsin Avenue Apartments LLC ("Applicant"), filed an application for approval of an amendment to the previously approved preliminary plan to change the use from the previously approved gas station to a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% moderately priced dwelling units ("MPDUs")), and a maximum of 15,000 square feet of non-residential use, which may include retail, restaurant, or service uses on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 11994080A, 7340 Wisconsin Avenue ("Preliminary Plan", "Amendment" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 27, 2013, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on December 12, 2013, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Preliminary Plan No. 11994080A to change the use of the Subject Property from the previously approved gas station to a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 15,000 square feet of non-residential use, limited to retail, restaurant, or service uses and provided that, at a minimum, the approved building's Wisconsin Avenue frontage must include some non-residential use to be determined at site plan, subject to the following conditions:¹

- 1) All conditions imposed by the approval of Preliminary Plan No. 119940800 in the Planning Board Resolution dated July 11, 1994, are superseded by the conditions contained herein.
- 2) The Applicant must comply with the conditions of approval for Project Plan 920140010.
- 3) This Preliminary Plan is limited to a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 15,000 square feet of non-residential use, limited to retail, restaurant, or service uses and provided that, at a minimum, the approved building's Wisconsin Avenue frontage must include some non-residential use to be determined at site plan.
- 4) The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated November 8, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 5) Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
- 6) The Planning Board has accepted the recommendations of the Maryland State Highway Administration ("MDSHA") in its letter dated October 15, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

¹ For the purpose 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.

- 7) The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated November 13, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 8) The Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Bethesda Transportation Management District and must execute the TMAg prior to approval of the record plat. The TMAg must include trip mitigation measures recommended by MCDOT.
- 9) The certified Preliminary Plan must contain the following note:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.
- 10) The record plat must show necessary easements.
- 11) The final number of MPDUs as per condition #3 above will be determined at the time of site plan approval.
- 12) The Planning Board has accepted the recommendations of the Montgomery County Department of Housing and Community Affairs ("MCDHCA") in its letter dated November 13, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDHCA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 13) The Subject Property is within the Bethesda Chevy Chase School cluster area. The Applicant must make a School Facilities Payment to MCDPS at the high school level at the high-rise unit rates for all units for which a building permit is issued and a School Facilities Payment is applicable. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.
- 14) The Applicant must provide certification from an engineer specializing in acoustics that the building shell has been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn prior to building permit. The Applicant must commit to construct the units in accord

- with these design specifications, with any changes that may affect acoustical performance approved by the engineer and Staff in advance of installation.
- 15) After construction is complete and before issuance of occupancy permits, the Applicant must provide certification that interior noise levels do not exceed 45 dBA Ldn.
 - 16) No clearing, grading or recording of plats prior to certified site plan approval.
 - 17) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
 - 18) The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

BE IT FURTHER RESOLVED, that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. The Preliminary Plan substantially conforms to the Master Plan.

The Subject Property is located within the Bethesda CBD Sector Plan area. The Preliminary Plan substantially conforms to the recommendations in the Sector Plan in the following ways:

- *Strengthen the Metro Core as the center of Bethesda, with greatest emphasis on and around the Metro Center and plaza.*

The Preliminary Plan will significantly strengthen the Metro Core District by replacing the prior, automobile-oriented gasoline and service station use with a mixed-use, transit-oriented, and pedestrian-friendly project. In addition, the Preliminary Plan will significantly improve and strengthen the pedestrian experience along Wisconsin Avenue, Montgomery Lane, and Hampden Lane, by providing the Bethesda streetscape improvements and the public use space adjacent to Hampden Lane, which will feature unique pavers, plantings, seating, lighting, and public artwork components.

- *Increase the choices and activities in the Metro Core associated with retail, restaurants, cultural programming, open space, and pathways.*

The Preliminary Plan provides up to 15,000 square feet of non-residential uses, which will be devoted to retail, restaurant, and/or service establishments. At a minimum, some non-residential use will be located along the approved building's Wisconsin Avenue frontage. In addition, the

Preliminary Plan provides multi-family residential units directly on Wisconsin Avenue, which represents a fairly unique use in this stretch of Wisconsin Avenue and helps to increase the choices and activities in the Metro Core District beyond the current office buildings. This mix of uses is essential to providing the daytime, nighttime, and weekend environment that is critical to a vibrant and successful downtown. The nearest existing significant multi-family residential buildings along Wisconsin Avenue are located approximately five blocks to the north – at the corner of Wisconsin Avenue/Fairmont Avenue (Fairmont Plaza) – and approximately five blocks to the south – at the corner of Wisconsin Avenue/Bradley Lane (The Adagio), although multi-family residential projects have been approved both north of the Subject Property in the Metro Core District at 7535 Old Georgetown Road and south of the Subject Property at 7100 Wisconsin Avenue in the Wisconsin South Corridor. In addition to activating the street through the incorporation of retail uses with residential uses, the Subject Property will improve the pedestrian experience and open space opportunities in the Metro Core District, by providing the Bethesda streetscape treatment along all three property frontages as well as the new plaza along Hampden Lane.

- *Develop a compact core that places the highest intensity in the center, provides distinctive infill buildings, and steps down to lower densities and heights near the edge of the district.*

The Preliminary Plan fulfills this Sector Plan objective by developing this former gas station site with an architecturally distinctive mixed-use project, which, at 143 feet in building height, represents a step-down in building height from the center of the Metro Core District, where 200 feet in building height is permitted in the block just to the north where the Bethesda Metro station is located. The building is a composition of three distinct volumes, one for each of the streets that define the subject property. These volumes step down from north to south, with the tallest volume on the Montgomery Lane frontage, anchoring the building to the prominent corner at the intersection at Montgomery Lane and Wisconsin Avenue. Each volume, while varied in height and scale, corresponds to the adjacent streets in a stepped volumetric expression. The second volume also supports the main outdoor rooftop amenity space and addresses Wisconsin Avenue, while the third volume steps down to scale the building to Hampden Lane. This stepping maximizes views to the exterior for the building's residents and highlights the varying building heights.

- *Emphasize employment near Metro transit to complete Metro Core development.*

While the Sector Plan's Future Land Use map (Sector Plan, page 59) recommends the Subject Property for employment uses, the Sector Plan also notes on pages 4 and 58 that optional method residential use is permitted in the Metro Core District at 5 FAR and that some new housing may be provided in the Metro Core District. These recommendations clearly leave open the possibility that residential uses may be provided, and are in fact desired, in the Metro Core District.

The Sector Plan recommends that the block containing the Subject Property be "Employment: Office: Medium to High Density" as shown on the left side of the map on page 17 of the Staff Report. The map on the right on page 17 of the Staff Report exhibits the existing development within the Metro Core. A number of properties identified for retail and mixed-use have been approved for office space, including Bethesda Center, which went from an original proposal of hotel, restaurant, and retail to hotel and 256,672 square feet of office. This demonstrates that the goals and objectives for employment in the Metro Core are being met. The map also demonstrates that within the Metro Core, the predominant land use is retail, office, and institutional/community. The few multi-family housing sites, shown in dark blue on the map of existing and approved development, are primarily on the periphery of the Core. A mix of residential and employment is needed in the District to achieve the Sector Plan's objective for a greater focus of activities and a better sense of community.

While the Sector Plan recommends employment uses for much of the Metro Core District, the office market for this area is weak, and the demand for residential living at this transit-proximate location is strong. At this time, there are very few residential uses located in the Metro Core District to satisfy the high demand, and those in existence are located on the periphery of the District. The Application represents an opportunity to place multi-family residential units near the substantial employment uses already located in the Metro Core District, creating the vibrancy of extended activity into the nighttime. Too much office use without complimentary residential uses does not promote the extended activity needed for a successful downtown.

There is also recent precedent in which a mixed-use (multi-family residential with ground-floor non-residential) project has been approved for a site located in the Metro Core District for which the Sector Plan recommends employment uses. On March 14, 2013, the Planning Board considered the 7535 Old Georgetown Road project, also known as "Bethesda Commerce"

(Project Plan 920130030). The Board ultimately approved the 15-story mixed-use project with up to 120 multi-family residential units and up to 5,000 square feet of non-residential uses. In the staff report for that application, Staff noted that the Sector Plan's targeted Stage 1 housing and employment goals have been satisfied (projections of 5,000 jobs and 2,150 housing units above the existing 1994 numbers), and that the Sector Plan sets Stage 2 and Stage 3 targets of 54,900 jobs and 8,300 housing units. Staff determined that, as of 2011, the Bethesda CBD contained 41,561 jobs and 6,793 dwelling units, indicating that the Sector Plan's targets for job/housing mix are on track. Staff noted that the Metro Core District itself contains over 19,500 jobs, a number which is anticipated to rise as the 7500 Wisconsin redevelopment comes on-line and when the 7200 Woodmont Avenue and Bethesda Center projects are constructed. Staff also noted that a number of properties in the Metro Core District identified for retail and mixed-use development have been approved for office space and employment uses instead. As a result, the Board concluded that the Bethesda Commerce project satisfies the goals of the Sector Plan for the Metro Core District, and helps to foster a preferred mix of residential and employment that is needed to both meet the needs of the Sector Plan objectives for a greater focus of activities and a better sense of community, as well as providing a sustainable future where citizens can live, work, and play in the same location.

Similarly, the Preliminary Plan represents an opportunity to place residential uses, envisioned by the Sector Plan to be included in the Metro Core District, in close proximity to the predominantly employment uses in the District. The Subject Property will represent one of the few multi-family residential projects in the Metro Core District south of the Bethesda Metro station, and will be the only such project located along Wisconsin Avenue. As found with the Bethesda Commerce site, the Application will provide an opportunity to house residents directly adjacent to employment opportunities, in conformance with the goals of the Sector Plan.

Even though the Preliminary Plan is primarily residential, there remain numerous opportunities for new employment uses in the Metro Core District. According to M-NCPPC's chart of pipeline development dated September 2013, over 1.2 million square feet of office uses have been approved in the CBD as a whole and are not yet built, representing over 5,000 jobs at the rate of one job per 225 square feet of floor area. Several of these projects are located specifically within the Metro Core District, including Woodmont 7200, 4500 East West Highway, and Bethesda Center.

- *Reinforce Metro Center as the focus of urban activity. Adjacent properties should develop in a manner that complements the activities and urban open space at Metro Center.*

The building represents a step-down in building height from the block containing the Bethesda Metro station, located one block north of the Subject Property. While the Application's architecture and public use space located along Hampden Lane will be distinctive, the Subject Property is still of smaller scale than the 200-foot tall buildings in the Metro station block and the large urban open spaces located at Metro, thus fostering the notion that the Metro Station block should be the strongest focus of urban activity. Additionally, the Subject Property's on-site public use spaces and off-site amenities (including streetscape) will foster and facilitate pedestrian movement to the Bethesda Metro station.

- *Maintain a compact development with the tallest buildings concentrated in the center. Development at perimeter locations of the Metro Core should step down in height to achieve a more gradual transition and better compatibility with the adjacent areas.*

The Preliminary Plan addresses this Sector Plan objective with a building 143 feet in height, which represents a step-down in building height from the center of the Metro Core District, where 200 feet in building height is permitted in the block just to the north that includes the Bethesda Metro Station. In addition, the Preliminary Plan establishes compatibility with nearby properties by proposing a composition of three distinct volumes, one for each of the streets that are adjacent to the Subject Property. These volumes step down from north to south, with the tallest volume appropriately located on the Montgomery Lane frontage, anchoring the building to the prominent corner intersection at Montgomery Lane and Wisconsin Avenue. The second volume supports the main outdoor rooftop amenity space and addresses Wisconsin Avenue, while the third volume steps down to appropriately scale the building to Hampden Lane.

- *Locate new open space to tie into the existing "Discovery Trail" network and to expand the pedestrian connections. Where appropriate, locate new open space in a manner that reinforces the gateways and provides a transition between districts.*

While the Subject Property is not located directly adjacent to the Discovery Trail, which comes closest to the Subject Property where it runs along the west side of East Lane, approximately one half block to the west, the Subject Property will significantly improve and strengthen the pedestrian

experience along Wisconsin Avenue, Montgomery Lane, and Hampden Lane by providing the Bethesda streetscape improvements and the Hampden Lane public use space. The Subject Property will feature unique pavers, plantings, seating, lighting, and public artwork components. Provision of the Hampden Lane public use space also begins to help transition the uses located in the Metro Core District along Wisconsin Avenue down to the TSR (Transit Station Residential) District to the west on the west side of Woodmont Avenue.

2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

Roads and Transportation Facilities

Roads and transportation facilities will be adequate to support and service the Subject Property, as described below:

a. Access, Parking, and Public Transportation

The Subject Property currently has three vehicular access points: one on Montgomery Lane, one on Wisconsin Avenue (MD 355), and one on Hampden Lane. The development will consolidate these existing access points to two driveways – one for loading and one for parking – that will be located at a single point of access on Montgomery Lane. As a result of the existing one-way operation of Montgomery Lane, the site access will be restricted to a right-in, right-out movement. Applicant proposed the garage access driveway to have a 20-foot-wide apron at the property line, but MCDOT has commented that the width should not be less than 24 feet to accommodate a 14-foot lane for inbound traffic and a 10-foot lane for outbound traffic. Therefore, the site plan will be conditioned to provide MCDOT's configuration. The parking garage on the Subject Property will contain 200 spaces. Pedestrian and bicyclist access to the site will be provided along each of the three frontage roadways and sidewalks.

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail station (approximately 500 feet away), Metrobus, RideOn, and the Bethesda Circulator. Future transit in the area includes a proposed Purple Line station and new Metrorail station entrance, located approximately 300 feet to the south. Specific transit routes near the Site include:

1. RideOn Bus Routes 29, 30, 32, 33, 34, 36, 47, 70
2. WMATA Metrobus Routes J2, J3, and J4

b. Master Plan Roadways and Pedestrian/Bikeway Facilities

The Sector Plan and 2005 Countywide Bikeways Functional Master Plan recommend the following facilities along the Subject Property frontage:

1. Wisconsin Avenue (MD 355), along the eastern site frontage, as Major Highway (M-6), between Bradley Boulevard and the northern limits of the Central Business District, with a minimum right-of-way width of 115 feet.
2. Hampden Lane, along the southern site frontage, as a Biker Friendly Area and Business District Street with a minimum right-of-way width of 60 feet.
3. Montgomery Lane, along the northern site frontage, as a Business District Street with a minimum right-of-way width of 70 feet.

Because all three roads currently meet the recommended minimum right-of-way widths, no right-of-way dedications are required. Additionally, there are no specific master planned bikeway recommendations applicable to the Subject Property.

c. Local Area Transportation Review

A traffic study, dated July 25, 2013, was submitted for the Application per the LATR/TPAR Guidelines, since the development was estimated to generate more than 30 peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods.

A site trip generation summary for the development, provided in the Staff Report, shows that the Subject Property will generate 78 peak-hour trips during the weekday morning peak period and 107 peak-hour trips during the weekday evening peak period. Since the existing site, a former gas station, is vacant, the Applicant is claiming zero trip credits.

A summary of the capacity analysis/Critical Lane Volume (CLV) analysis for the weekday morning and evening peak-hour periods, presented in the Staff Report, shows that the total (Build) condition will remain within the policy area congestion standard of 1,800 CLV. Based on the analysis presented in the traffic study, the Application satisfies the LATR requirements of the APF test.

d. *Transportation Policy Area Review*

Since the development is within the Bethesda CBD, a Metro Station Policy Area ("MSPA"), the Subject Property is adequate under the roadway test and exempt from the transit test set forth in the 2012-2016 Subdivision Staging Policy. As a result of these findings and the development's location in a MSPA, the development is not required to make a payment to satisfy the TPAR requirement.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the development. The Subject Property will be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service, which determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, and health services are operating according to the Subdivision Staging Policy resolution currently in effect and will be adequate to serve the Subject Property. The Subject Property is within the Bethesda Chevy Chase High School cluster area, which is currently operating between 105-120% of capacity at the high school level, and a school facilities payment is required. Electrical, telecommunications, and gas services are also available to serve the Subject Property.

3. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

The Preliminary Plan does not create any new lots. Rather, the purpose of the Preliminary Plan is to conduct an APF test for the change in use from the previously approved gas station to the mixed-use building. Nonetheless, the existing lot has been evaluated, and the lot size, width, shape, and orientation are appropriate for the location of the subdivision taking into account the recommendations included in the Sector Plan, and for the type of development or use contemplated. The Sector Plan does not make any specific recommendations regarding the size of lots. However, the Sector Plan does recommend that the Subject Property be developed with mixed-use development, as has been approved on the site. As evidenced by the Preliminary Plan, the site is sufficiently large to efficiently accommodate the approved mix of uses.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The Application was granted an exemption from submitting a forest conservation plan per section 22A-5(s)(1) on June 12, 2013. The Subject Property was eligible for an exemption, because it is smaller than 1.5 acres with no existing forest, specimen trees, or champion trees, and the afforestation requirements would not exceed 10,000 square feet.

5. *All storm water management requirements shall be met as provided in Chapter 19, article II, title "storm water management", Section 19-20 through 19-35.*

This finding is based in part upon the determination by MCDPS that the Stormwater Management Concept Plan meets applicable standards.

The MCDPS Stormwater Management Section approved the stormwater management concept on November 13, 2013. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent possible through the use of a green roof and micro-bioretenention planter box. The remaining volume will be treated in a structural proprietary filter.

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

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 26 2013 (which is the date that this Resolution is mailed to all parties of record); and

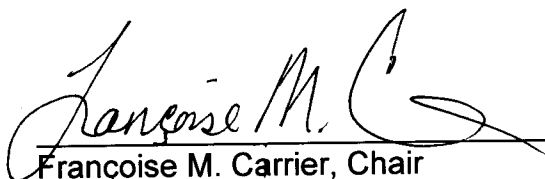
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor at its regular meeting held on Thursday, December 12, 2013, in Silver Spring, Maryland.

A handwritten signature in black ink, appearing to read "Françoise M. Carrier", is written over a horizontal line.

Françoise M. Carrier, Chair
Montgomery County Planning Board



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

OCT 7 2014

MCPB No. 14-73
Preliminary Plan No. 11994080B
7340 Wisconsin Avenue
Date of Hearing: September 18, 2014

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on June 9, 1994, the Planning Board approved Preliminary Plan No. 19940800, creating one lot on 0.79 acres of land in the CBD-2 zone, located on the south side of Montgomery Lane, west of Wisconsin Avenue (MD 355) ("Subject Property"), in the Bethesda CBD Policy Area, Bethesda CBD Sector Plan ("Sector Plan") area; and

WHEREAS, on December 12, 2013, the Planning Board approved an amendment to the previously approved preliminary plan, Preliminary Plan No. 1994080A 7340 Wisconsin Avenue (MCPB No. 13-168), to change the use from the previously approved gas station to a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% moderately priced dwelling units ("MPDUs")), and a maximum of 15,000 square feet of non-residential use, which may include retail, restaurant, or service uses on the Subject Property; and

WHEREAS, on April 28, 2014, Bainbridge Wisconsin Avenue Apartments LLC ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plans to reallocate 9,500 square feet of nonresidential floor area to residential floor area, reducing the previously approved nonresidential floor area from 15,000 square feet to 5,500 square feet and increasing the residential floor area from 192,791 square feet to 204,381 square feet on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 11994080B, 7340 Wisconsin Avenue ("Preliminary Plan," "Amendment," or "Application"); and

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
M-NCPPC Legal Department
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated September 5, 2014, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on September 18, 2014, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below;

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Preliminary Plan No. 11994080B to reallocate 9,500 square feet of nonresidential floor area to residential floor area, reducing the previously approved nonresidential floor area from 15,000 square feet to 5,500 square feet and increasing the residential floor area from 192,791 square feet to 204,381 square feet by adding the following conditions:¹

1. The Applicant must comply with the conditions of approval for Project Plan No. 920140010, as amended. This condition supersedes condition no. 2 of Planning Board Resolution No. 13-168 for Preliminary Plan 11994080A, dated December 26, 2013.
2. This Preliminary Plan is limited to a maximum of 204,381 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 5,500 square feet of non-residential use, limited to retail, restaurant, or service uses. This condition supersedes condition no. 3 of Planning Board Resolution No. 13-168 for Preliminary Plan 11994080A, dated December 26, 2013.
3. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letters dated November 8, 2013, and June 13, 2014, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letters, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval. This condition supersedes condition no. 4 of Planning Board Resolution No. 13-168 for Preliminary Plan No. 11994080A, dated December 26, 2013.

¹ For the purpose 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.

BE IT FURTHER RESOLVED, that all other previous preliminary plan conditions of approval for this project remain valid, unchanged and in full force and effect.

BE IT FURTHER RESOLVED, that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan as revised by previous amendments, and all findings not specifically addressed remain in effect.*
2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

The Planning Board found that the previous amendment application, Preliminary Plan 11994080A, will be served by adequate public facilities. The Amendment will reallocate 9,500 square feet of non-residential use to residential use, but the number of dwelling units will not increase. Since vehicular traffic impact for residential use is measured per dwelling unit and not per floor area, the number of vehicle trips and the traffic burden on surrounding streets will be reduced in comparison to the previous application. The Subject Property is within the Bethesda Chevy Chase High School cluster area, which is currently operating between 105-120% of capacity at the high school level, and a school facilities payment has been required as a condition of the previous preliminary plan approval. The reallocation of floor area from non-residential to residential uses will not increase the number of dwelling units, and the burden on school facilities and the required payment will not change as a result. Other public services will not be affected by the reallocation of floor area, and the Planning Board's previous finding remains valid.

3. *All storm water management requirements shall be met as provided in Chapter 19, article II, title "storm water management", Section 19-20 through 19-35.*

The Montgomery County Department of Permitting Services Stormwater Management Section approved the stormwater management concept on November 13, 2013. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent possible through the use of a green roof and micro-bioretenention planter box. The remaining volume will be treated in a structural proprietary filter.

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is OCT 7 2014 (which is the date that this Resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Dreyfuss, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley voting in favor at its regular meeting held on Thursday, September 18, 2014, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 20-Dec-22
TO: Michael Goodman
VIKA, Inc
FROM: Marie LaBaw
RE: 7340 Wisconsin Ave
820230020

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **16-Dec-22**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



NOTE:
PROPOSED FIREWALL ON PROPERTY LINE
WITH NO PENETRATIONS OR OPENINGS.

LEGEND

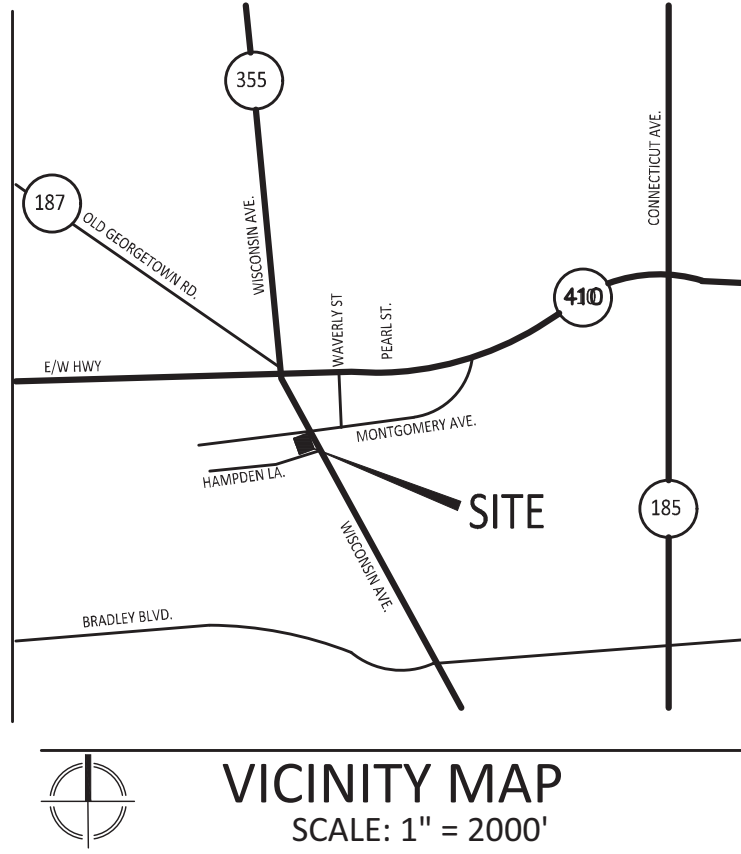
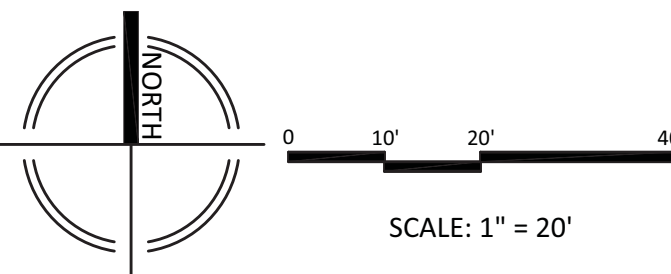
- MAIN ENTRANCE
- WATER LINE AND FITTING
- FIRE DEPARTMENT CONNECTION
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- BUILDING ENTRY
- FIRE TRUCK MOVEMENT (AT 729 TRUCK)
- FIRE ACCESS FOOT PATH
- FIRE ACCESS PATH
- EXISTING TRAFFIC SIGNAL

FIRE CODE ENFORCEMENT

Fire Department Access Review

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

BY: SAC FM: 43 DATE: 2/20/2022



VIKA
ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD, SUITE #400
GERMANTOWN, MARYLAND 20874
PHONE: (301) 916-4100
FAX: (301) 916-2262
GERMANTOWN, MD. TYSONS CORNER, VA.

APPLICANT:
Greystar Development East, LLC

8405 Greensboro Drive
Suite 500
McLean, VA 22102
703.714.1401
Contact: Patrick Lyons

DESIGN CONSULTANTS

LAND PLANNING/CIVIL ENGINEER

VIKA Maryland, LLC

20251 Century Boulevard,
Suite 400
Germantown, MD 20874
301.916.4100
Contact: Michael Goodman, PE

ARCHITECTS

SK+I Architecture

4600 East-West Highway, Suite 700
Bethesda, MD 20814
301.654.9300
Contact: Andy Czajkowski

LANDSCAPE ARCHITECTS

LandDesign

200 South Peyton Street
Alexandria, VA 22314
703.549.7784
Contact: Matthew Clark

ATTORNEY

Lerch, Early & Brewer, Chtd.

7600 Wisconsin Avenue
Suite 700
Bethesda, MD 20814
301.986.1300
Contact: Patricia Harris

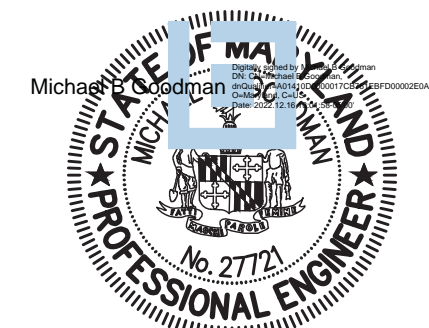
TRAFFIC ENGINEER

Lenhart Traffic Consulting

645 Baltimore Annapolis Boulevard, Suite 214
Severna Park, MD 21146
410.216.3333
Contact: Nick Driban

| DATE | |
|-----------|--|
| REVISIONS | |

PROFESSIONAL SEAL



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
ENGINEER'S NAME: MICHAEL GOODMAN, P.E.
LICENSE NO.: 2772
EXPIRATION DATE: July 19, 2024

7340
WISCONSIN
AVE
LOT 8, BLOCK 24C
EDGEMOOR
PLAT NO. 19553

7TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 209NW05
TAX MAP: HN22

FIRE ACCESS
PLAN
820230010

DRAWN BY: EJS
DESIGNED BY: MBG
DATE ISSUED: 06/06/22

SHEET
NO. 1 OF 1



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher Conklin
Director

January 19, 2023

Mr. Adam Bossi, Planner III
Down-County Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive
Wheaton, MD 20902

RE: Preliminary Plan Amendment
No. 11994080C
7340 Wisconsin Avenue

Dear Mr. Bossi:

We have completed our review of the revised preliminary plan amendment, uploaded to eplans on January 19, 2023. A previous version of this plan was reviewed by the Development Review Committee (DRC) at its meeting on October 11, 2022. We recommend approval of the plan subject to the following comments:

Significant Plan Review Comments

1. As shown on the plan, the proposed transformer vaults in the Montgomery Lane right-of-way are to be installed, maintained and owned by PEPCO. If this arrangement changes at or prior to the right-of-way permit, then the transformer vaults will need to be installed outside of the County right-of-way.
2. MCDOT is constructing the master-planned, Montgomery Lane/Montgomery Avenue Two-Way Separated Bike Lane project along the Montgomery Lane frontage as part of CIP #P500119. The applicant will be required to construct the curb along their Montgomery Lane frontage (unless MCDOT determines this not necessary). On the Certified Preliminary Plan amendment, show the ultimate curb alignment per the CIP #P500119 plans. At the submission of right-of-way plans, contact Mr. Matt Johnson, Capital Projects Manager/Bikeways Coordinator, at matt.johnson@montgomerycountymd.gov or 240-777-7237.
3. The Applicant shall contact Mr. James Carlson at james.carlson@montgomerycountymd.gov or 240-777-8382 to implement the following recommendations for Transportation Demand Management (TDM) elements on the Subject Property:

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX
www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

This project requires a Level 3 Project-Based TDM Results Plan. The project meets the location (Red Policy Area and the Bethesda Transportation Management District) and size threshold requirement (more than 40,000 gsf) for this plan level.

A Project-based TDM Results Plan requires a commitment by the owner or applicant to achieve a base NADMS that is 5% higher than the District's goal as well as related commuting goals at that project. The Plan must be submitted and approved by MCDOT prior to issuance of any building permit from DPS.

Level 3 Project-Based TDM Results Plans require the following:

- i. Appoint a Transportation Coordinator;
 - ii. Notify the Department of the Coordinator's contact information within 30 days of receipt of final use and occupancy (U&O) certificate;
 - iii. Provide space in the project for the promotion of TDM;
 - iv. Display TDM-relation information in highly visible location(s);
 - v. Identify specific TDM actions to be implemented in order to achieve 5% above the Bethesda TDM commuter goals;
 - vi. Applicant and/or Substitution of Strategies: If strategies initially selected by the owner or applicant do not result in the project achieving goals by 6 years after final occupancy, revisions to the plan or strategies initially selected may be required;
 - vii. Additional Funding: Commit funding if the project does not achieve the goal within 6 years of final occupancy. Provide higher additional funding if the project has not achieved the goal within 8 years of final occupancy;
 - viii. Conduct independent monitoring to determine if the project is meeting its goals until the project's goals are achieved.
4. The applicant is not dedicating the full, 122-foot wide master-planned right-of-way (Per the Bus Rapid Transit) width along their Wisconsin Avenue (MD 355) street frontage. The perpetual easement for public improvement is shown to be a substitute for the right-of-way. The right-of-way is maintained by MDOT SHA, and they will allow the easement in lieu of ROW dedication per their December 28, 2022, review letter. This easement does not set a precedent for other projects.

Standard Plan Review Comments

5. No steps, stoops, retaining walls or other structures for the development are allowed in the County right-of-way. In addition, doors are not allowed to swing into the County right-of-way.
6. All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Montgomery County Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application

for access permit. This letter and all other correspondence from this department should be included in the package.

7. The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.
8. The sight distance study has been accepted. A copy of the Sight Distance Evaluation certifications form is included with this letter.
9. Construct Bethesda Central Business District streetscaping along the Montgomery Lane, Wisconsin Avenue (MD 355) and Hampden Lane site frontages.
10. Design all access points to be at-grade with the sidewalk, dropping down to street level between the sidewalk and roadway.
11. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
12. If the proposed development will alter any existing street lights, replacement of signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
13. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
14. Posting of a ROW permit bond is a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - a. Paving, curbs, gutters, sidewalks, handicap ramps and storm drain along Montgomery Lane.
 - b. Paving, curbs, gutters, sidewalks and handicap ramps along Hampden Lane.
 - c. Construct Bethesda Streetscaping along Montgomery Lane and Hampden Lane.
 - d. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
 - e. Erosion and sediment control measures as required by Montgomery County Code 19-10(02) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by

Mr. Adam Bossi
Preliminary Plan No. 11994080C
January 19, 2023
Page 4

MCDPS.

- f. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan amendment. If you have any questions or comments regarding this letter, please contact me at (240) 777-2173 or william.whelan@montgomerycountymd.gov.

Sincerely,

William Whelan

William Whelan
Development Review Team
Office of Transportation Policy

[SharePoint/transportation/directors office/development review/WhelanW/11994080C 7340 Wisconsin Ave - MCDOT review letter 011923.docx](#)

Enclosures (1)

Sight Distances

cc: Correspondence folder FY 2023

| | | |
|-------|-----------------|-----------------------|
| cc-e: | Michael Goodman | VIKA |
| | Patricia Harris | Lerch, Early & Brewer |
| | Katie Mencarini | MNCP&PC |
| | Mark Terry | MCDOT DTEO |
| | Sandra Brecher | MCDOT CSS |
| | Jim Carlson | MCDOT CSS |
| | Sam Farhadi | MCDPS RWPR |

820230010 7340 Wisconsin Avenue

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan files:

“07-SITE-820230010-002.pdf V4” uploaded on/ dated **“12/2/2022”** and

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

1. Ensure proposed frontage bike facility including curb location complies with the associated MCDOT CIP.
2. Provide truck turning movement for all (especially right turn) movements.
3. Provide and specify full compliance with standard Bethesda Streetscaping along the site frontage. Any deviation should be clearly specified for our review and approval.
4. Provide public sidewalk:
 - a. ensure/ show all sidewalks/ handicap ramps have matching receiving counterparts, are aligned and ADA connection is provided. Show/ label the existing sidewalks where connection is made.
 - b. Public and private sidewalks when adjacent each other need to have the physical limits of maintenance provided or PIE/ ROW for the additional sidewalk is needed.
 - c. Provide PIE if needed.
 - d. No door swing is permitted into ROW.
5. Relocate all non-standard structures such as door swing and electrical vaults out of public ROW.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Aseem K. Nigam
Director

January 9, 2023

Mr. Adam Bossi
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: 7340 Wisconsin Ave
Site Plan # 820230010

Dear Mr. Bossi:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends Approval. The development plans to provide up to 308 units, with 15% MPDUs.

An Agreement to Build must be submitted to DHCA before building permits are obtained from the Department of Permitting Services (DPS). The final MPDU locations, layouts and bedroom mix will need to be approved by DHCA at the MPDU Agreement to Build stage.

Sincerely,

Maggie Gallagher, Program Manager I
Affordable Housing Programs Section

Division of Housing

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

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

montgomerycountymd.gov/311



240-773-3556 TTY

From: [Nauman, Mark](#)
To: [Bossi, Adam](#)
Subject: RE: 820230010- 7340 Wisconsin
Date: Saturday, December 17, 2022 11:25:20 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Adam, below is my response to them sent on 12/14/22.

You can forward this response to them to confirm your preliminary design hits the threshold of 17.5+ ASHRAE improvement. However, this model must, by necessity, be updated once you are able to fill-in the blanks as you close-in on CD. The updated modeling shall be uploaded to the documents folder in ProjectDox with you construction documents. Should the final version fall short of the BSP threshold, I would be obliged to report that to P&P.

Mark Nauman, LEED AP
Senior Specialist-Sustainability and Energy
Department of Permitting Services
2425 Reedie Drive, 8th Floor
Wheaton, Maryland 20902
240-695-4164

Mark.nauman@montgomerycountymd.gov



For more helpful Cybersecurity Resources, visit:
<https://www.montgomerycountymd.gov/cybersecurity>

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From: Bossi, Adam <Adam.Bossi@montgomeryplanning.org>
Sent: Friday, December 16, 2022 3:45 PM
To: Nauman, Mark <Mark.Nauman@montgomerycountymd.gov>
Subject: RE: 820230010- 7340 Wisconsin

[EXTERNAL EMAIL]

Hi Mark,

What's your timeline for reviewing this energy model looking like? This material has been submitted way late in the review process, so I'm working with the applicant on associated scheduling challenges. Your input would be helpful. Thanks.

Adam



Adam Bossi
Planner III, DownCounty Planning Division
Montgomery County Planning Department
2425 Reddie Drive, Wheaton, MD 20902
adam.bossi@montgomeryplanning.org
o: 301 495 4529



WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDIE DRIVE, WHEATON, MD 20902

From: Eric Schlatter <Schlatter@vika.com>
Sent: Wednesday, December 14, 2022 1:53 PM
To: Mark Nauman <mark.nauman@montgomerycountymd.gov>; Bossi, Adam <Adam.Bossi@montgomeryplanning.org>
Cc: Michael B. Goodman, P.E. <Goodman@vika.com>; Patricia A. Harris - Lerch, Early & Brewer, Chtd. (paharris@lerchearly.com) <paharris@lerchearly.com>
Subject: 820230010- 7340 Wisconsin

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good afternoon Mark-

Please find and accept the attached energy model for DPS review. This model has also been uploaded to ePlans to be included with the submitted SP for 7340 Wisconsin. Please contact myself or Mike Goodman

should you have any questions or comments. Thank you for your time.

Thank you,

Eric Schlatter, PLA

Senior Planner

Main: 301.916.4100 Ext. 313

VIKA Maryland, LLC

20251 Century Boulevard

Suite 400

Germantown, MD 20874



Ranked in The Washington Business Journal as one of the Top Engineering Firms

vika.com

Our Site Set on the Future.

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December 28, 2022

Mr. Adam Bossi
Planner III, DownCounty Planning Division
Montgomery County Planning Department
2425 Reedie Drive, Wheaton, MD 20902

Dear Mr. Bossi,

The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the plans for the Sketch Plan Amendment (320210001A), Preliminary Plan Amendment (11994080C) and Site Plan (820230010) Applications for the 7340 Wisconsin Avenue development.

Based on preliminary review and at the Applicant's request, a Perpetual Easement would be acceptable in lieu of additional dedication on Wisconsin Avenue (Maryland Route 355). The Perpetual Easement will be approximately 6' wide to achieve the Master Plan right of way of 61' from the centerline of Wisconsin Avenue. In addition, the Applicant's request to extend the below grade garage into the Perpetual Easement would be acceptable, but the below grade structure must be a minimum of 2' below the proposed grade surface.

MDOT SHA recommends approval of the above noted Applications and reserves the right to provide additional comments as needed once the plan is formally submitted to MDOT SHA for a comprehensive review in the process of acquiring the Access Permit.

If you have any questions or require additional information please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll-free number (in Maryland only) at 1-800-749-0737 (x7347), or via email at kwoodroffe@mdot.maryland.gov or shaamdpermits@mdot.maryland.gov.

Sincerely,



for Derek Gunn, P.E.
District Engineer, District 3, MDOT SHA

DG/kw

cc: Mr. Michael B. Goodman, VIKA
Mr. Shelton Haynes, ORE – MDOTSHA
Ms. Katherine Mencarini, Montgomery County Planning Department



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

December 7, 2022

Ms. Shannon Flickinger
Vika Maryland, LLC
20251 Century Blvd, Suite 400
Germantown, MD 20874

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
7340 Wisconsin Avenue
Preliminary Plan #: 11994080C
SM File #: 288403
Tract Size/Zone: 18,122 SF / 0.42 ac
Total Concept Area: 28,720 / 0.66 ac
Lots/Block: 8, 24C
Watershed: Little Falls Branch

Dear Ms. Flickinger:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to provide 1.39 inches of a required Pe of 2.0 inches of stormwater treatment via green roof and microbioretention planter box. A partial waiver of stormwater management requirements was requested due to site constraints and is hereby **granted**.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. The internal drain connection from the second floor microbioretention to the 15 inch stormdrain will be reviewed in detail at the time of detailed plan review. It will have to be designed to prevent any damage to the building or infrastructure in that area.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Landscaping in areas located within the stormwater management easement which are shown on the approved Landscape Plan as part of the approved Site Plan are illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Stormwater



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

Ms. Flickinger
December 7, 2022
Page 2 of 2

Management plans by the Montgomery County Department of Permitting Services, Water Resources Section.

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

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

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

If you have any questions regarding these actions, please feel free to contact Jean Kapusnick, P.E. at jean.kapusnick@montgomerycountymd.gov or at 240-777-6345.

Sincerely,

Mark Etheridge

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

cc: Neil Braunstein
SM File # 288403

ESD: Required/Provided 4,547 cf / 3,156 cf
PE: Target/Achieved: 2.0"/1.39"
STRUCTURAL: 0.0 cf
WAIVED: 790 cf.

Bethesda Downtown Design Advisory Panel

Meeting Minutes

PROJECT: 7340 Wisconsin Avenue

DATE: May 25, 2022

*The **7340 Wisconsin Avenue** project was reviewed by the Bethesda Downtown Design Advisory Panel on May 25, 2022. The following meeting notes summarize the Panel's discussion, recommendations regarding massing and urban design. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.*

Attendance:

Panel

George Dove
Brian Kelly
Rod Henderer
Qiaojue Yu
Damon Orobona

Staff

Gwen Wright, Planning Director
Stephanie Dickel, Regulatory Supervisor DownCounty Planning
Adam Bossi, Planner III
Rachel Newhouse, Park Planner
Hyojung Garland, Park Planning Supervisor

Applicant Team

Pat Harris – Attorney, Lerch Early
Andy Czajkowski – Architect, SK&I
Yavuz Goncu – Associate, SK&I
Valeria Hochman – Associate Principal, SK&I
Marius Radulescu – Principal, SK&I
Yun Kim – SK&I
John Beinert – Developer, Greystar
Niels Theodule – Developer, Greystar
Anne Fulton – Developer, Greystar
Mike Goodman – Engineer, VIKa



Discussion Points:

Staff: The Sketch Plan was reviewed by the DAP in September of 2019. The Applicant and Owner have changed hands and are introducing massing changes from what was previously approved on this site for Sketch Plan.

Panel:

General Comments

- I like the massing better now than when it was a senior living facility.
- I think this iteration is much more interesting and complies with the approved Sketch Plan where it needs to and improves where it needs to at the ground floor plan.
- I was always a little skeptical with the previous proposal for senior living at this scale and this particular location. Changing to residential quite nicely cleans up the streetscape along Hampden Lane.
- For the west façade facing the Hampden East building, I know you are meeting the tower separation, now that this is a residential building how will it get sufficient light and are?
 - *Applicant response: If you remember, the Hampden East building is multi use with ground floor retail and residential up to the 8th floor, and the rest will be office. Our building on the west face, while building out the corners will have a fairly significant light well. The tower separation will be 45 feet total per the Design Guidelines recommendation. Further, both buildings will have green roof and create a nice space and quality to them.*
- What was the reason behind the change from senior living to residential?
 - *Applicant response: It is an entirely different applicant, developer, and architect team. The previous owner decided not to move forward*
- The massing is much better, pushing back the center points of the facades and creating a pinwheel motif creates a massing that is holistic and tied to the idea in a much better way. The shift in use has also created a much better ground floor plan compared to the prior use and will be a better pedestrian experience on Hampden Lane.

Design

- Why didn't you put your other project at Wisconsin and Bethesda in your context drawings? A city is built on a diversity of building types and I hope as you move forward, your material palette creates that diverse quality that differentiates itself from the building to the south.
 - *Applicant response: Understood, it wasn't included just due to file size*
- I like what you are doing with the top, I think you weaken it a little bit showing the line between the penthouse mechanical space, if you delete it as you refine the design it would have more strength. I don't think it needs more mass to it, and I like that you are accentuating the corner.

- I am worried about the thinness of the crown at the very top when the curtain wall extends up, what will that characteristic look like, but I'm sure you will solve that as you move forward
 - *Applicant response: Yes, we will be working on that and I think that goes with the previous comment of differentiating this design from our other project to the south. Some of those details we are working towards but weren't quite ready to share, wanted to get the massing confirmed before we moved too far forward.*
- I do have a concern regarding the retaining wall you described on Montgomery Ave. Does it get higher than 3 feet? I would be more concerned if it's more than 3 feet, say 5 feet.
 - *Applicant Response: It won't be too tall, maybe three feet. This image shows how the grade changes, it will be very subtle but the key is it is not a good location for retail. But as we propose it as the lobby and amenity space we think it will appropriately fold in.*

Panel Recommendations:

The Panel agreed the changes are consistent with the intent of the previously approved Sketch Plan and the Applicant will return with Site Plan level details for determination of Design Excellence points.

Bethesda Downtown Design Advisory Panel

Meeting Minutes

PROJECT: 7340 Wisconsin Avenue

DATE: July 27, 2022

*The **7340 Wisconsin Avenue** project was reviewed by the Bethesda Downtown Design Advisory Panel on July 27, 2022. The following meeting notes summarize the Panel's discussion, recommendations regarding design excellence, and the exceptional design public benefits points. The project is in the Site Plan stage and the Design Advisory Panel will determine if comments from Sketch Plan have been incorporated and take the final vote for design excellence public benefit points if it is determined the Project is suitable. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.*

Attendance:

Panel

George Dove

Brian Kelly

Rod Henderer

Damon Orobona

Paul Mortensen, ex officio member, Senior Urban Designer in the Director's Office

Staff

Gwen Wright, Planning Director

Stephanie Dickel, Regulatory Supervisor DownCounty Planning

Grace Bogdan, Planner III

Adam Bossi, Planner III

Rachel Newhouse, Park Planner

Hyojung Garland, Park Planning Supervisor

Applicant Team

Pat Harris – Attorney, Lerch Early

Andy Czajkowski – Architect, SK&I

Yavuz Goncu – SK&I

Valeria Hochman – SK&I

Marius Radulescu – SK&I

Yun Kim – SK&I

John Beinert – Developer, Greystar



Niels Theodule – Developer, Greystar
Anne Fulton – Developer, Greystar
Mike Goodman – Engineer, VIKA

Discussion Points:

Staff: The project was recently reviewed by the DAP in May of 2022, introducing massing changes from what was previously approved on this site for Sketch Plan. Today's presentation responds to the DAP comments from May and also introduces site plan level details for discussion and a request for 20 design excellence points.

Panel:

General Comments

- I am very pleased with how this building has morphed, I think it will be a good end cap for the corner and love that someone has taken the base up appropriately and bent in the façade in a different way than many other buildings while staying in character. I love the scaling of the façade and the materiality and coloration including the bronze/brass component. It adds interest along the continuum of Wisconsin Ave
- I applaud the development of the project and the sophistication of the tower, as you continue to refine the base, I hope you keep the notion of the whiter portions, they offer a cadence at the street level. The base and tower are of the same language, and I appreciate that. There is a language here that I didn't see last time, and that's how you are turning corners, it seems to be a very consistent language that is of value.
 - *Applicant Response: We appreciate that, we've been consciously working towards unifying the base with the tower while differentiating the base in a subtle but meaningful way, with more texture.*
- I really enjoy this project and the site is in desperate need of redevelopment and am supportive.
- The ground floor triangular planter on the Wisconsin facade. Is the planter necessary for the green coverage? From the plan view, the size of the planter is too small to be impactful.
 - *Applicant Response: We are trying to keep the transformers off Wisconsin and the planters are working towards our green cover, as previously stated it is pretty tight on this site and we are doing our best.*

Base Design

- I think the massing is very successful, more sophisticated than the original site and I appreciate the change in materials from 7126 Wisconsin and the shaft as more glass now. The base doesn't seem to have the depth of development that the other project does. It almost seems like it is a façade covering a parking garage, and I think this is just a need for refinement. I'm not sure if balconies would help or just need greater depth.
 - *Applicant Response: Yes, there are projected bays on the project to the south, 7126 Wisconsin Ave. There are different programs and goals, that client wanted more*

masonry and solid wall, this one is more glassy and larger window frames. I think the two differences will set the buildings apart

- I agree with the overall comments, the base compared to the tower just seems 2-dimensional, so some minor manipulation in the base is necessary.
 - *Applicant Response: Is there a way to connect the base to the tower portion at the corner, does that help?*
 - I actually like how it grounds here, I'm speaking more to the base in other areas.
 - *So perhaps we could use that successful treatment elsewhere around the base.*
- Perhaps part of the detail that may help the base is, while I like the vertical nature, I wonder if you could express the horizontal fenestration more so there is more depth to them. This could also be achieved with setting back the windows a little more, which will give the appearance that the vertical has more depth. Your precedent photos show such a depth and maybe this could be expressed more to give more delineation.

Panel Recommendations:

The Applicant is requesting 20 points for design excellence, the Panel voted in support (4-0) of 20 points with refinement of base to be reviewed through the site plan application process.