

**EVOLUTION LABS NORTH BETHESDA
SKETCH PLAN AMENDMENT NO. 32013001A
PRELIMINARY PLAN AMENDMENT NO. 12015001B
SITE PLAN AMENDMENT NO. 82015001B**



Description

Request to establish massing, vehicular access points, and Public Benefit points for the proposed development of 709,396 square feet of Research and Development use to be developed in three buildings over three phases. At full buildout, the proposal includes a north-south through-block connection and the provision of 100 public parking spaces within a 999-space garage, which will serve users of the Kennedy Shriver Aquatic Center, Wall Park, and Josiah Henson Museum. Phase 1 will include development of 236,466 square feet of Research and Development use in Building A, as well as development of a 692-space parking garage including 100 spaces for public use.

Nos. 32013001A, 12015001B,
and 82015001B
Completed: 5-22-2023

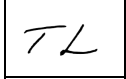
MCPB
Item No. 5
6-1-2023

Montgomery County
Planning Board
2425 Reedie Drive, Floor 14
Wheaton, MD 20902

Planning Staff



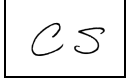
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LOCATION/ADDRESS

Southeast quadrant of the intersection of Old Georgetown Road and Banneker Avenue.

MASTER PLAN

2010 *White Flint Sector Plan*

ZONE

CR-3.0, C-1.5, R-2.5, H-70'

CR-4.0, C-2.0, R-3.5, H-250'

PROPERTY SIZE

5.11 acres

APPLICANT

Stonebridge Acquisitions, LLC

ACCEPTANCE DATE

2/8/2023

REVIEW BASIS

Chapters 22A, 50 and 59



Summary:

- Staff recommends approval with conditions of the Applications.
- The Subject Applications will supersede previous approvals for the Subject Property associated with the White Flint Gables project.
- The Sketch Plan Amendment and Preliminary Plan Amendment propose up to 709,396 square feet of Research and Development use and 999 structured parking spaces to be developed over three phases.
- The Phase 1 Site Plan includes up to 236,466 square feet of Research and Development use in 150-foot-tall Building A, as well as a stand-alone, 10-story structured parking garage with 692 parking spaces.
- As part of the proposed Phase 1 parking garage, approximately 24,000 square feet of parking area and a minimum of 100 parking spaces will be leased by the County for public use by users of the Kennedy Shriver Aquatic Center, Wall Local Park, and Josiah Henson Museum. An access point to the public portion of the parking garage will be provided via an access road from Wall Local Park to the south, which will be covered by a future Mandatory Referral. This will allow the Montgomery County Department of Parks to remove the existing surface parking from Wall Local Park and redevelop that area into usable park space.
- Staff has not received any correspondence about the Applications.

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SECTION 1: EXECUTIVE SUMMARY

Stonebridge Acquisitions, LLC (Applicant) requests approval of Sketch Plan Amendment 32013001A and Preliminary Plan Amendment 12015001B for approval of up to 709,396 square feet of Research and Development (R&D) use and 999 parking spaces in a ten-story structured parking garage. The Applicant also requests approval of Site Plan Amendment 82015001B for Phase 1 of the proposed project, including 236,466 square feet of Research and Development uses in Building A and a 692-space parking garage. This project will further the development of this part of White Flint with an important employment center near transit and other successfully redeveloped areas such as Pike & Rose. The Planning Board previously approved Sketch Plan 320130010, Preliminary Plan Amendment 12015001A, and Site Plan Amendment 82015001A, all of which will be superseded by the Subject Applications.

The entirety of the Subject Property contains 5.11 acres. The majority of the Property is zoned CR-3.0, C-1.5, R-2.5, H-70', with a smaller portion of the Property zoned CR-4.0, C-2.0, R-3.5, H-250'. The site is currently unimproved following the site work done on the White Flint West Workaround (CIP 501506) (the "West Workaround") road realignment project.

In accordance with the provisions of Section 59.4.5.4.B.5 of the Zoning Ordinance, the Subject Applications propose to use additional building height through height averaging to reach a maximum height of 150 feet. Also in accordance with Section 59.4.5.4.B.5, the Subject Applications will use density averaging and reallocation of mapped residential FAR to nonresidential FAR to achieve a maximum density of 709,396 square feet of R&D uses¹.

The Phase 1 Site Plan Amendment is a substantial step forward in implementing the overall vision of the Approved and Adopted 2010 *White Flint Sector Plan* ("Sector Plan"). Phase 1 of the proposed development, covered by the Site Plan Amendment 82015001B, will include the development of 236,466 square feet of R&D uses in Building A. Phase 1 also includes the development of a 692-space parking garage, including 100 parking spaces to be leased by the Montgomery County Department of General Services as public parking for users of the Kennedy Shriver Aquatic Center ("KSAC"), Wall Local Park and Josiah Henson Museum. Access to the parking garage will be via an internal east-west private driveway, as well as via a future access driveway connecting the KSAC drop-off area to the entrance at the southwest of the proposed garage. The details of this driveway will be covered by a future Mandatory Referral for the Wall Local Park property. The public parking spaces provided by agreement in the proposed parking garage will provide enough parking to accommodate users of KSAC, Wall Local Park, and Josiah Henson Museum, allowing for the future removal of the existing surface lot in Wall Local Park and the repurposing of that land into enhanced and usable park spaces.

Also, as part of Phase 1, the Applicant will provide the southern portion of a north-south, through-block connection. At full build-out as proposed in the Subject Sketch Plan Amendment Application, this connection will fully bisect the Subject Property and will serve as an attractive pedestrian connection between the Subject Property, developments to the north such as Pike and Rose, and Wall Local Park and the KSAC to the south via a new entrance to the park. Phase 1 will result in the construction of the segment of this connection between Wall Local Park to the south and the private internal east-west driveway to the north.

¹ Zoning Code Section 59.4.5.4.B.5.c: "For properties that satisfy the requirements of Section 4.5.4.B.5.a., residential FAR may be reallocated to nonresidential FAR if the total FAR does not exceed the maximum total mapped FAR for the property."

Phase 2 will include the development of Building B at the northeast of the site, as well as the completion of the through-block connection connecting Wall Local Park to the south with Banneker Avenue to the north. Phase 3 will include the development of Building C, as well as the completion of the parking garage, which at full buildout will be increased from 692 parking spaces to up to 999 parking spaces. Phases 2 and 3 will require future site plan amendments, which may be pursued in either a concurrent or phased approach.

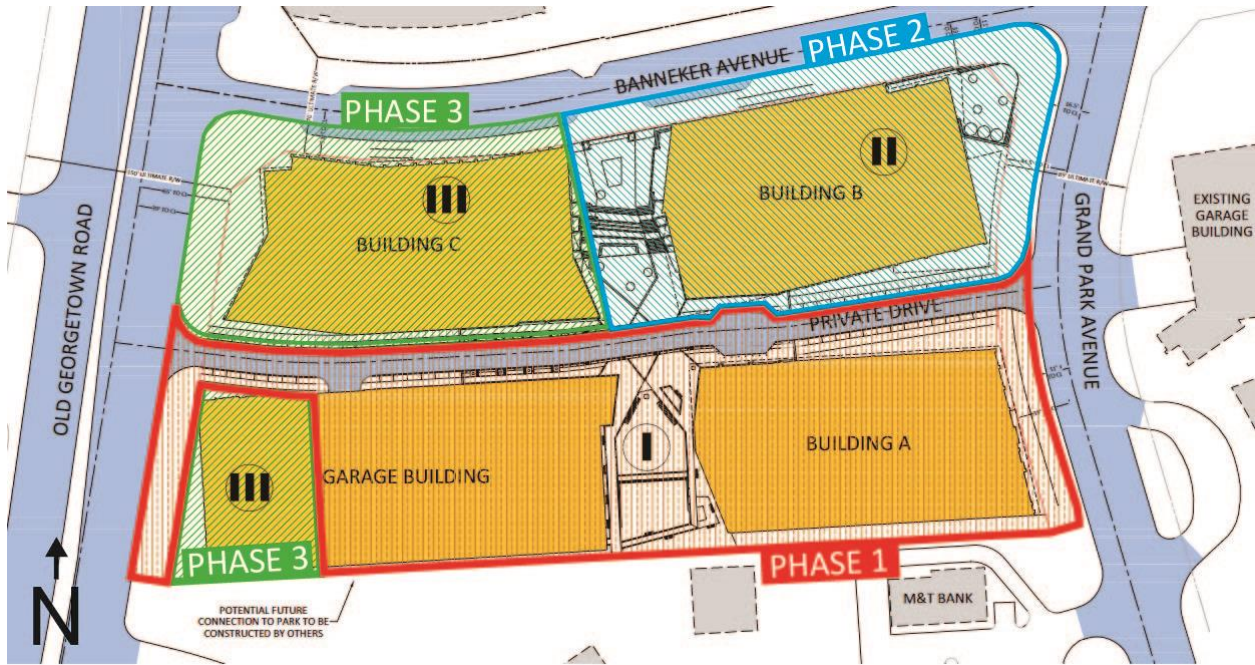


Figure 1 - Phasing Plan

SECTION 2: RECOMMENDATIONS AND CONDITIONS

SKETCH PLAN AMENDMENT 32013001A

Staff recommends approval of Evolution Labs North Bethesda, Sketch Plan Amendment No. 32013001A, for up to 709,396 square feet of density on 5.11 acres, zoned CR-3.0, C-1.5, R-2.5, H-70 and CR-4.0, C-2.0, R-3.5, H-250, in the 2010 *White Flint Sector Plan* area. The following site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are binding under Section 59.7.3.3.F:

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 of the Sketch Plan are illustrative and subject to refinement at the time of Site Plan. This approval is subject to the following conditions, which supersede all previous conditions:

1. Density

The proposed development is limited to a maximum total of 709,396 square feet of Research and Development (R&D) uses, to be built in three buildings over three phases. The proposed development is also limited to one structured parking garage with a maximum of 999 parking spaces².

2. Height

The proposed development is limited to a maximum building height of 150 feet, pursuant to Section 59.4.5.4.5 for Research and Development uses.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7.1 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points and phasing will be established at Site Plan approval.

- a) Major Public Facility achieved through the provision of public parking spaces serving users of Wall Local Park, the Kennedy Shriver Aquatic Center, and Josiah Henson Museum. Parking spaces to be provided within the shared parking structure and accessed via both an internal private driveway that serves the Subject Property and an access road to be constructed on adjacent Wall Local Park to be provided by the Applicant through an Agreement with Montgomery County;

² Parking garage is not counted towards density

- b) Transit Proximity, the Property is partially within ¼ mile, and partially between a ¼ mile and a ½ mile from North Bethesda Metrorail Station;
- c) Connectivity and Mobility achieved through minimum parking and through-block connection;
- d) Diversity of Uses and Activities achieved through adaptive buildings;
- e) Quality Building and Site Design achieved through exceptional design, public open space, and structured parking; and
- f) Protection and Enhancement of the Natural Environment achieved through building lot termination (BLT) easements and cool roof.

4. Public Open Space

The Applicant must provide a minimum of 10.9% of the Site Area (20,000 square feet) as Public Open Space.

5. Building Lot Terminations

The Applicant must provide proof of purchase and/or payment for the required 1.4239 BLTs prior to issuance of the final building permit.

PRELIMINARY PLAN AMENDMENT 12015001B

Staff recommends approval with conditions of the Preliminary Plan Amendment No. 12015001B to subdivide the Subject Property into two parcels, establish circulation patterns, and develop 709,396 square feet of Research and Development use. All site development elements shown on the latest electronic version of the Preliminary Plan No. 12015001B as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions which supersede all previous Preliminary Plan conditions:

1. This Preliminary Plan is limited to two (2) parcels for up to a maximum of 709,396 total square feet of Research and Development uses.
2. The development must comply with the applicable binding elements and conditions of Sketch Plan No. 32013001A, as amended.
3. The Applicant must comply with the White Flint Urban District requirements.
4. APF Validity
 - a. The Adequate Public Facilities (“APF”) review for Phase 1 of the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).
 - b. The APF review for Phase 2 of the Preliminary Plan will remain valid for seven (7) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).
 - c. The APF review for Phase 3 of the Preliminary Plan will remain valid for ten (10) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).
5. Preliminary Plan Validity
 - a. The Preliminary Plan will remain valid for Parcel A for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for Parcel A, as delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.
 - b. The Preliminary Plan will remain valid for Parcel B for six (6) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for Parcel B delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its revised Preliminary Plan letter dated May 18, 2023. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

7. Before recording any plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
8. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration ("MDOT SHA") in its letter dated April 19, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MDOT SHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
9. Before the issuance of Maryland State Highway access permits, the Applicant must satisfy the Maryland State Highway Administration's requirements for access and improvements.
10. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated May 19, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
11. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS"), Fire Department Access and Water Supply Section in its letter dated May 4, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
12. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MDOT SHA to ensure construction of a 20-foot wide Breezeway along the property frontage on Old Georgetown Road.
13. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of a 6.5-foot wide separated bikeway and 5-foot wide street buffer along the Property frontage on Grand Park Avenue.
14. Before the issuance of any building permit, the Applicant must obtain approval of a Project-based Transportation Demand Management Plan (TDM) from the Montgomery County Department of Transportation (MCDOT).
15. There shall be no clearing or grading of the site before recordation of plat(s).
16. The record plat must show necessary easements.
17. The record plat must reflect common ingress/egress and utility easements over all shared driveways.

18. Prior to recordation of any plat, the County Council must abandon portions of public rights-of-way subject to Right-of-Way Abandonment Case Number AB739, "Executive Boulevard".

19. Forest Conservation

The Applicant must comply with the following conditions of approval for the Preliminary Forest Conservation Plan No. 12015001B approved as part of this Preliminary Plan:

- a. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of 3 caliper inches totaling 9 caliper inches. Planting locations to be shown on the Final Forest Conservation Plan ("FFCP").
- b. The Applicant must submit a Final Forest Conservation Plan ("FFCP") for review and approval before obtaining a Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property.
- c. The FFCP must be consistent with the approved Preliminary Forest Conservation Plan.

20. The certified Preliminary Plan must contain the following notes:

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.

21. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- a) Show resolutions and approval letters on the certified set.
- b) Modify data tables to reflect development standards approved by the Planning Board.
- c) Ensure consistency of all details and layout between plans.
- d) Fire and Rescue Access plan must be included in the Certified Preliminary Plan.

SITE PLAN AMENDMENT 82015001B

Staff recommends approval of Site Plan No. 82015001B, for the construction of 236,466 square feet of Research and Development uses in Building A and a structured parking garage containing 692 parking spaces. The development must comply with the conditions of approval for Sketch Plan No. 32013001A and Preliminary Plan No. 12015001B. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions, which supersede all previous Site Plan conditions:³

Density & Height

1. Density

The Site Plan is limited to 236,466 square feet of Research and Development use in Building A.

2. The development is limited to a maximum height of 150 feet, as measured from the building height measuring point(s), as illustrated on the Certified Site Plan, pursuant to Section 59.4.5.4.5 for R&D uses.

3. The development must comply with the applicable binding elements and conditions of Sketch Plan No. 32013001A and Preliminary Plan No. 12015001B, as may be amended.

4. Public Open Space, Facilities, and Amenities

Before issuance of Final Use and Occupancy certificate for Building A, the Applicant must construct the streetscape improvements, including the undergrounding of utilities, along the Property's frontage on Old Georgetown Road and Grand Park Avenue, consistent with the 2010 *White Flint Sector Plan Streetscape Standards*.

5. Public Benefits

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

a) Major Public Facilities

Before issuance of first Use and Occupancy permit for Building A, the Applicant must construct and lease a minimum of 100 parking spaces within the proposed structured parking garage to Montgomery County, to be used by visitors of the Kennedy Shriver Aquatic Center, Wall Local Park, and the Josiah Henson Museum according to the terms of the Parking Agreement between the Applicant and Montgomery County.

b) Transit Proximity - the Property is partially within ¼ mile, and partially between a ¼ mile and a ½ mile from North Bethesda Metrorail Station;

³ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

c) Connectivity between Uses, Activities, and Mobility Options

i. Minimum Parking

The Applicant must not provide/construct more than 692 parking spaces within the Phase 1 parking garage.

ii. Through-Block Connection

The Applicant must provide the north-south pedestrian connection between Wall Local Park to the south and the proposed private driveway to the north as part of this Phase 1 Site Plan. The pedestrian connection must be shown on the Certified Site Plan.

d) Diversity of Uses and Activities

i. Adaptive Buildings

The Applicant must provide, at a minimum, floor-to-floor heights of at least 15 feet on any floor that meets grade and at least 12 feet on all other floors.

e) Quality Building and Site Design

i. Exceptional Design

The Applicant must continue to work with Planning Staff to ensure the design quality of the project. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff at time of Certified Site Plan.

ii. Public Open Space

The Applicant must provide a minimum of 12,000 square feet of public open space (11.96 percent of net lot area). Before the issuance of the final Use and Occupancy Certificate for Building A, all Phase 1 public open space areas on the Subject Property must be completed.

iii. Structured Parking

The Applicant must provide no more than 692 parking spaces within the structured parking garage.

f) Protection and Enhancement of the Natural Environment

i. Building Lot Terminations (BLTs)

Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment of 0.3025 BLTs to the MCDPS and M-NCPPC staff.

ii. Cool Roof

The Applicant must provide a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12.

6. Parks

- a. Any activity on M-NCPPC Parkland requires an approved M-NCPPC Montgomery County Department of Parks (Montgomery Parks) Park Construction Permit and is subject to the full Park Construction Permit process as directed by Montgomery Parks staff.
- b. All facilities to be constructed and work performed by the Applicant must be acceptable to Montgomery Parks staff and must meet or exceed Montgomery Parks' design standards and specifications.
- c. Tree impacts on Parkland are subject to Montgomery Parks tree mitigation requirements as directed by Montgomery Parks staff and required under relevant Park Construction Permit(s).
- d. Prior to the issuance of the building permit for the parking garage M-NCPPC will provide a Free and Clear Fire Access Easement in a form and substance approved by the Commission's Office of General Counsel, as required by the MCFD.
- e. The Applicant in conjunction with Montgomery County Department of General Services must submit a Mandatory Referral application for the Kennedy Shriver Aquatic Center access driveway and associated improvements at Wall Local Park (and obtain comments thereto from the Planning Board) before issuance of the first above-grade building permit for Building A of the site plan.

7. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities on the Subject Property.

8. Transportation

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated April 6, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

9. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 40 long-term and 7 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room in a parking garage, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan within 90-feet of the main entrance of the building per Zoning Ordinance Section 59.6.2.6.C.
- c) The Applicant must provide one bicycle repair station. The specific location(s) of the repair stand must be identified on the Certified Site Plan.
- d) The Applicant must provide showers and changing facilities in accordance with Section 59.6.2.6.B.3 of the Zoning Ordinance.

10. Parking Garage

- a. Before the issuance of any above-grade building permit associated with the Parking Garage, the Applicant must enter into an agreement with Montgomery County for a minimum of 100 spaces reserved for public use (Parking Agreement).
- b. The Parking Agreement must provide:
 - i. A minimum of 100 parking spaces fully reserved for public use by visitors to KSAC, Wall Local Park, and Josiah Henson Museum.
 - ii. A minimum of 150 additional spaces which will be made available on request for use during events at KSAC, Wall Local Park, and Josiah Henson Museum; subject to agreed upon payment.
 - iii. That visitors to KSAC, Wall Local Park, and Josiah Henson Museum can use the private visitor parking spaces if the 100 fully reserved parking spaces are all occupied and there is not a special event providing any additional spaces, subject to agreed upon payment.
- c. No substantive changes, termination, or other cessation of the Parking Agreement without a site plan amendment approved by the Planning Board.
- d. Maintenance of the garage is the responsibility of the Applicant, as outlined in the terms and conditions of the Parking Agreement.

11. Forest Conservation

The Applicant must comply with the following conditions of approval for the Final Forest Conservation Plan No. 82015001B approved as part of this Site Plan:

- a) The Final Forest Conservation Plan must be consistent with the Preliminary Forest Conservation Plan.
- b) The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- c) Before certification of the FFCP, the Applicant must make minor technical corrections to the worksheet to show a gross tract area of 4.2 acres and off-site disturbance of 0.69 acres.
- d) Before certification of the FFCP, the Applicant must show the planting locations and species of the trees being planted in mitigation for the removal of the variance tree on the FFCP.
- e) Before certification of the FFCP, the Applicant must show appropriate tree protection measures along the LOD along the southern portion of the Property. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff and the arborist for the Department of Parks.
- f) The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.

- g) The Applicant must execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of the General Counsel. The MMA is required for all mitigation tree plantings, including variance tree mitigation plantings credited toward meeting the requirements of the FCP.
- h) The Applicant must submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the planting and maintenance of the mitigation trees credited toward meeting the requirements of the FCP.
- i) Within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the variance tree mitigation plantings on the Subject Property as shown on the approved FCP. The variance tree mitigation plantings must be a minimum size of 3 caliper inches totaling 9 caliper inches, as shown on the approved FCP. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.

12. Lighting

- a) Before certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by street-lights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building or parking garage, the light pole height must not exceed the height illustrated on the Certified Site Plan.

13. Site Plan Surety and Maintenance Agreement

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

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.

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

14. Development Program

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

15. Interim Lawn

Within 12 months after the issuance of the final use and occupancy permit for Building A, the Applicant must clear and seed the land bay reserved for future phases along Banneker Avenue into a temporary lawn without any fences for community gathering uses, or submit a building permit application for Building B.

16. Staging Allocation Request

Building permits may only be issued after a staging allocation is granted under the Staging Allocation Request Regulations (COMCOR 50.35.02.01.A) in the *White Flint Sector Plan Implementation Guidelines* approved by the Planning Board.

17. Certified Site Plan

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

- a) Include the stormwater management concept approval letter, development program, and Sketch Plan, Preliminary Plan, and Site Plan resolutions on the approval or cover sheet(s).
- b) Add the following notes:
 - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
 - i. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
 - ii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement.

The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”

- c) Fire and Rescue Access plan must be included in the Certified Site Plan.
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Modify the parking data table to reflect the provided bicycle parking that will be constructed instead of the bicycle parking provided at full build-out.
- f) Ensure consistency of all details and layout between Site and Landscape plans.
- g) Reduce the curb radius of the Private Driveway at Old Georgetown Road and Grand Park Avenue to a maximum of 15 feet.
- h) Pursuant to the *Complete Streets Design Guide*, all access driveways, including the garage access and loading access driveways, the sidewalk should be clearly delineated across the driveway and maintain the grade, slope, and material of the adjacent sidewalk through the driveway.
- i) Show the long-term bike room dimensions and bike rack details that are consistent with Zoning Ordinance Section 59.6.2.6.
- j) Identify parking stalls in the floor plans, including the total quantity of stalls by type including accessible stalls, EV ready stalls, motorcycle/scooter parking, and car share stalls. This should include parking stall dimensions, drive aisle dimensions, differentiated public, flex, and private parking areas, and proposed signage differentiating public parking spaces from flex and private parking spaces.
- k) Correct the notes on the site plan illustrative ground floor plan sheet to remove note 1 and adjust language of note 4 on Sheet A100.
- l) Applicant shall work with Staff to provide an acceptable interim condition, including temporary landscaping, along the north side of the private driveway, to be confirmed by Staff at time of Certified Site Plan.
- m) Update all drawings to show existing and proposed large street trees along Old Georgetown Road and Grand Park Avenue, planted at a maximum of 30 feet on center.
- n) Update all elevation drawings for the parking structure to clearly identify and separately label all areas for screening treatments, provide information regarding the materials and colors for screening treatments, and include photographic examples, with Staff approval.
- o) Prior to certified site plan, the Applicant must correct the FFCP to remove markings indicating removal of trees on Montgomery County Park property beyond the Limits of Disturbance south of the property line. Trees on Park property may only be removed if allowed under the conditions of the Park construction permit issued by the Montgomery County Department of Parks.
- p) At the time of Certified Site Plan, Applicant must show the through-block pedestrian connection to Wall Local Park, the final design and alignment of which is subject to approval by Montgomery Parks staff.

- q) At the time of Certified Site Plan, Applicant must show the parking garage entrance from Wall Local Park, to include an ADA-accessible entrance to the garage in addition to vehicular access. The final design and alignment of the garage entrance is subject to approval by Montgomery Parks staff.

SECTION 3: SITE DESCRIPTION

VICINITY

The Subject Property is bounded by Banneker Avenue to the north, Grand Park Avenue to the east, Old Georgetown Road to the west, and Wall Local Park which contains the Kennedy Shriver Aquatic Center (KSAC) to the south. The surrounding area is primarily commercial and mixed-use, with a variety of commercial uses along Rockville Pike to the east, office parks along Executive Boulevard and East Jefferson Street to the northwest, and a mix of uses at Pike & Rose and the Grand Park Development to the north. To the south and southwest are a variety of residential uses, with single-family neighborhoods west of Old Georgetown Road south of the Subject Property, and a mix of townhouses and multifamily apartments south of the Subject Property between Old Georgetown Road and Rockville Pike. The Washington Metropolitan Area Transit Authority ("WMATA") North Bethesda (formerly White Flint) Metro Station is located about 0.3 miles east of the Subject Property. Luxmanor Elementary School is located about a half-mile west of the Subject Property, and Woodward High School is located about 0.65 miles south of the Subject Property along Old Georgetown Road.

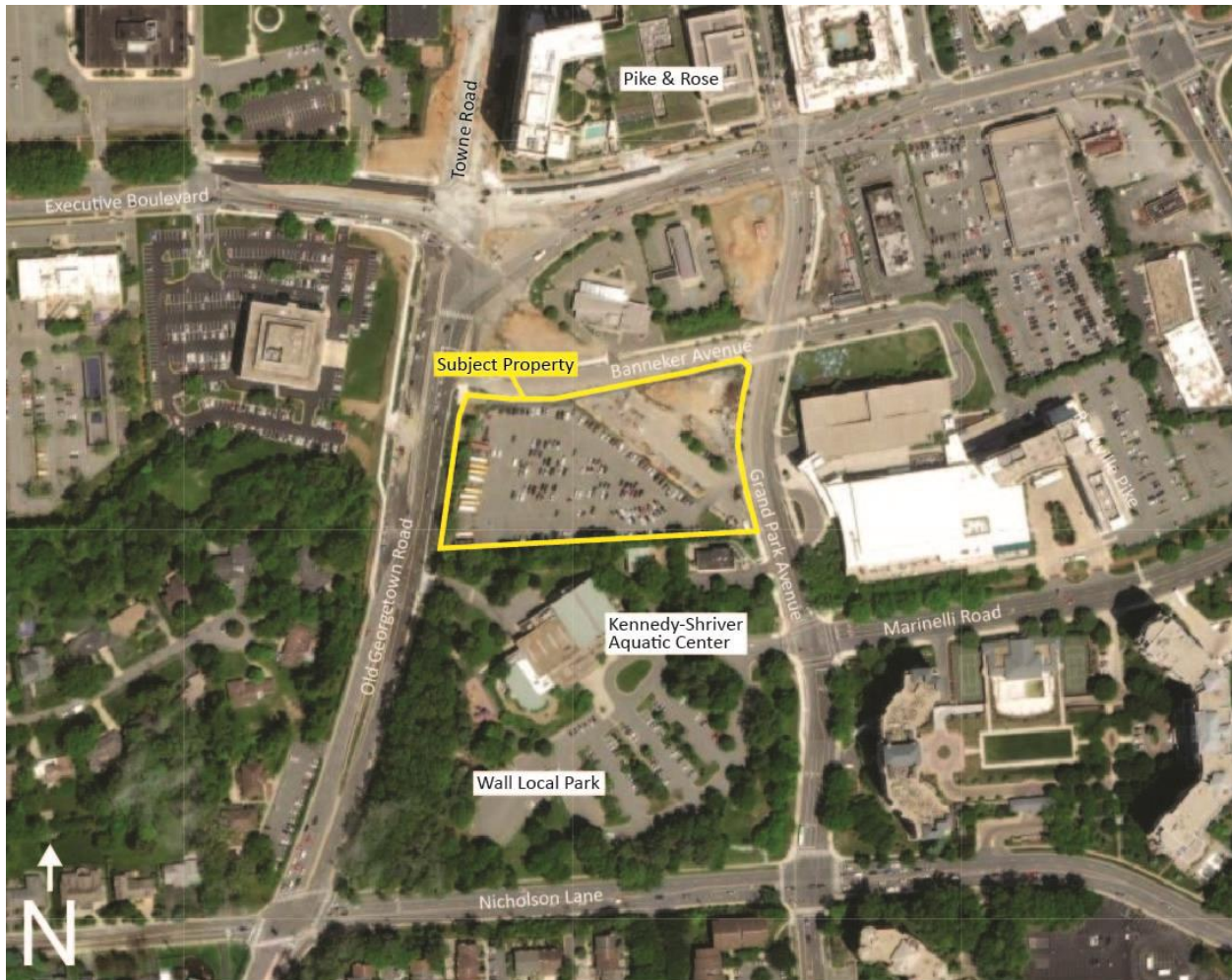


Figure 2 – Neighborhood Vicinity Map with Subject Property outlined in yellow

PROPERTY DESCRIPTION

The Subject Property consists of parcels and rights-of-way that have been affected by a Montgomery County road realignment project, known as the West Workaround. As a result of the road realignment, the Subject Property is currently made up of a variety of parcels that will be consolidated into two parcels as part of the Subject Preliminary Plan Amendment Application. The Subject Property currently contains the underlying parcel at the southwest of the site, measuring 2.85 acres (reference 1 in Figure 3 and Table 1 below), 0.79 acres of land from the former Executive Boulevard right-of-way that will be conveyed to the Applicant through the abandonment and disposition process⁴ (2 and 3 below), 0.06 acres of land transferred from the former VOB dealership property to the west of Grand Park Avenue (4 below), 0.51 acres that is part of the Montgomery County Conference Center (5 below), 0.29 acres of land provided through a reservation for Banneker Avenue right-of-way (6 below) and prior dedications of right-of-way for Old Georgetown Road totaling approximately 0.62 acres (7 below).

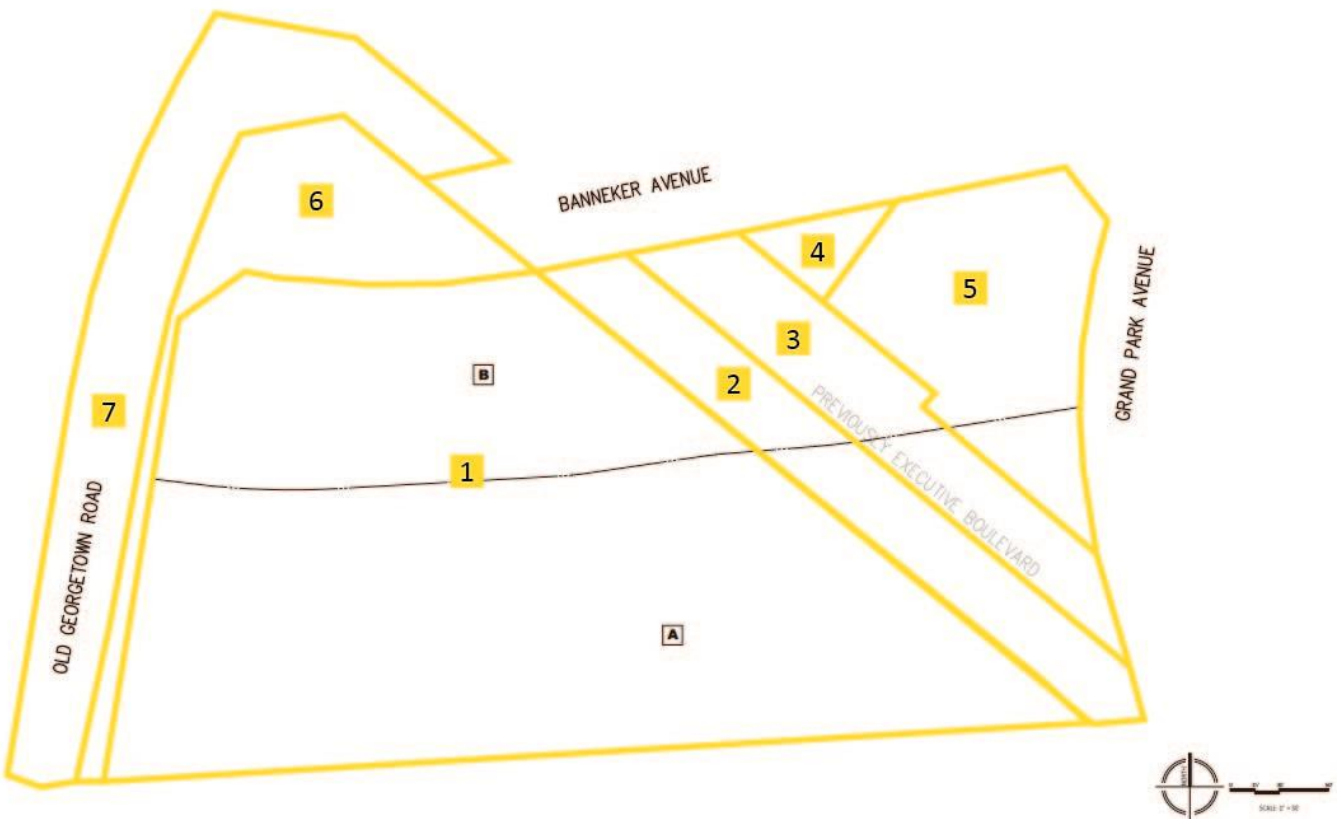


Figure 3 – Existing Lotting Diagram

⁴ The Montgomery County Council approved abandonment by Council Resolution 18-21 (Abandonment Case AB 739) in January 2015. Resolution 20-100 adopted March 28, 2023 approved the following action: “The time for Council action on the Declaration of No Further Need contained in Executive Order 211-22, Disposition via Transfer of certain properties in the White Flint area in North Bethesda, Maryland, to Stonebridge, is extended to June 27, 2023.”

Table 1: Subject Parcels

Map Reference and Parcel	Square Footage	Acres	FAR
1 - CR-3 Portion of Parcel A	124,130	2.85	3
2 - CR-3 Exec Boulevard	17,812	0.41	3
3 - CR-4 Exec Boulevard	16,438	0.38	4
4 - CR-4 VOB Land Swap	2,607	0.06	4
5 - CR-4 County Revenue Land Swap	22,119	0.51	4
6 - CR-3 Reservation Area Banneker	12,485	0.29	3
7 - CR-3 Previous Old Georgetown	27,153	0.62	3
Gross tract area	222,744	5.11	
Weighted FAR			3.18
Allowable Development	709,396		

As part of the Subject Preliminary Plan Amendment, these parcels and rights-of-way will be subdivided to create two parcels, Parcels A and B. Parcel A will be bounded by Old Georgetown Road to the west, Grand Park Avenue to the east, Wall Local Park to the south and the Project's east-west private driveway to the north. Parcel A includes the private driveway, but does not include the streetscape immediately to the north of the private driveway, which is included as part of Parcel B. Parcel B is bounded by but does not include the private driveway to the south, Old Georgetown Road to the west, Grand Park Avenue to the east, and Banneker Avenue to the north. The majority of the Property is zoned CR-3.0, C-1.5, R-2.5, H-70', with a smaller portion of the Property zoned CR-4.0, C-2.0, R-3.5, H-250'. The Subject Applications are proposing density and height averaging as allowed for Research and Development projects by Section 59.4.5.4.5 of the Zoning Code, which results in an FAR of 3.18 site-wide, a maximum height of 150 feet site-wide and 709,396 square feet of allowable development.

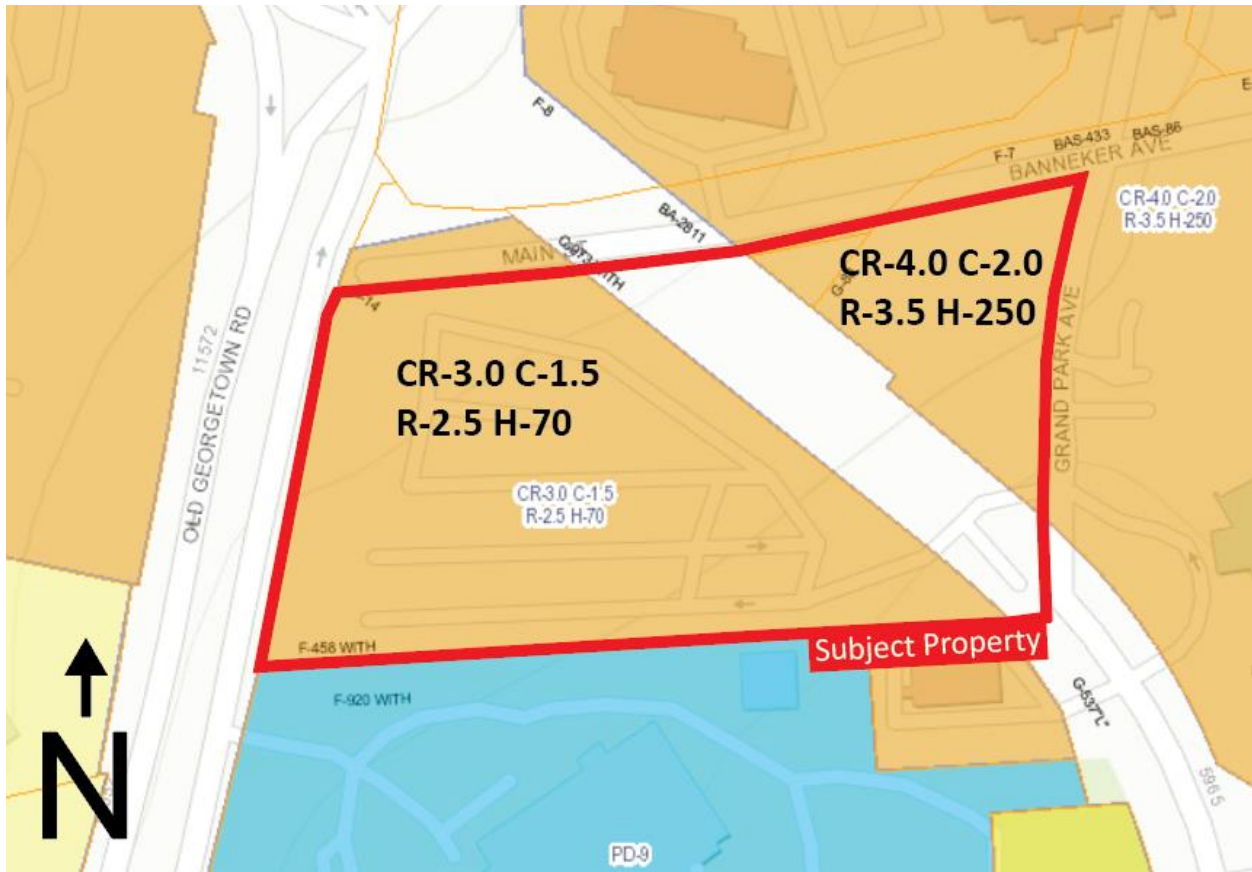


Figure 4 – Zoning Map

Due to the West Workaround street realignment and associated construction, the Subject Property is currently unimproved. The Subject Property is approximately 0.3 miles from the North Bethesda WMATA Metrorail Station.

The Subject Property is located within the Cabin John Creek watershed, which is classified as a Use Class I-P by the State of Maryland. The Subject Property contains no forest but does have one on-site tree with a diameter at breast height (“DBH”) of 30 inches or more. The Property contains no streams, wetlands or other sensitive environmental features. There are no documented streams or stream valley buffers on or immediately adjacent to the Subject Property, and no wetlands or rare or endangered species. No historic resources or cemeteries are known to exist on the Property.



Figure 5 – Subject Property (outlined in yellow)

SECTION 4: PROJECT DESCRIPTION

PREVIOUS APPROVALS

SKETCH PLAN 320130010

On October 24, 2013, the Planning Board approved Sketch Plan No. 320130010 for a maximum density of 521,000 square feet of development, including up to 490,000 square feet of residential uses and up to 67,000 square feet of non-residential uses; with a maximum height of 70 feet; approximate location of lots and public dedications; general location and extent of public use space; and general location of vehicular access points.

PRELIMINARY PLAN 120150010 & SITE PLAN 820150010

On April 30, 2015, the Planning Board approved Preliminary Plan No. 120150010 and Site Plan No. 820150010 for up to 521,000 square feet of mixed-use development, including up to 31,000 square feet of non-residential uses and up to 490,000 square feet of residential uses.

SITE PLAN 82015001A

On March 9, 2017, the Planning Board approved Site Plan Amendment 82015001A to increase the height of the western building; change the limits of disturbance to accommodate stormwater management facilities; remove the pedestrian bridges between two wings of the proposed building; remove the private dog park; modify the design of the green roof areas; relocate the bikeshare station into the public right-of-way, and redesign and relocate the public art elements.

PRELIMINARY PLAN 12015001A

On July 23, 2020 the Planning Board approved Preliminary Plan 12015001A to extend the Plan Validity period by two years and Adequate Public Facilities Validity period by three (3) years, for 490,000 square feet of unbuilt residential development and 31,000 square feet of unbuilt commercial development.

All previous approvals are superseded by the conditions and findings contained in this Staff Report.

PROPOSAL

SKETCH PLAN AMENDMENT 32013001A

The Applicant proposes to develop the Subject Property with 709,396 square feet of Research and Development use, to be built as three different buildings over three phases. At full buildout, the Project will include a structured parking garage at the southwest of the Subject Property that will contain 999 parking spaces, a minimum of 100 of which will be leased by the Montgomery County Department of General Services. The leased parking spaces will replace the surface parking that currently exists on the site of Wall Local Park, allowing Wall Local Park to be fully realized as an exceptional public park and gathering space free of surface parking. Also included in the Project is a through-block landscaped pedestrian connection, which at full buildout will connect Wall Local Park to the south with Banneker Avenue to the north. Phase 1 of the Project will include the development of 692 parking spaces in the structured parking garage, including all 100 of the spaces to be leased by the County, as well the development of 236,466 square feet of Research and Development uses in Building A. Phase 2 will include the development of Building B and the completion of the thru-block connection, and Phase 3 will achieve the full buildout of 999 parking spaces in the structured parking garage as well as the development of Building C. The proposed Sketch Plan Amendment also establishes which Public Benefit categories will be pursued. The Applicant's proposal includes Public Benefit points for Major Public Facility (through the parking spaces being provided for lease by the County), Transit Proximity, Minimum Parking, Through-Block Connection, Adaptive Buildings, Exceptional Design, Public Open Space, Structured Parking, Building Lot Terminations and Cool Roof. These Public Benefits span six categories and will total 121.55 points.

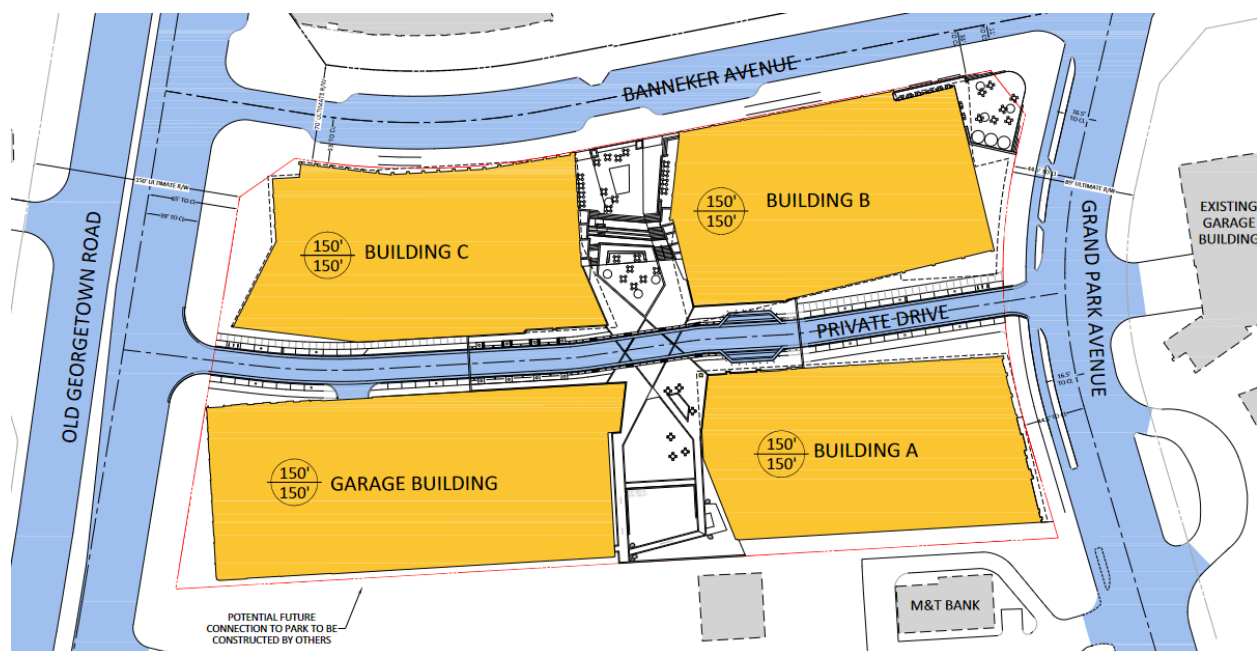


Figure 6 – Sketch Plan Drawing

PRELIMINARY PLAN AMENDMENT 12015001B

The Applicant proposes to subdivide the Subject Property into two parcels that will be developed with 709,396 square feet of Research and Development uses. As currently constituted, the Subject Property contains the subdivided remnants of the West Workaround road realignment project as described in the Property Description section of this Staff Report on pages 19 and 20. The Subject Preliminary Plan Amendment will consolidate these parcels into two rectangular parcels that are framed by the newly realigned Banneker Avenue to the north and Grand Park Avenue to the east. The newly created Parcel A, consisting of 105,698 square feet, will include all Phase 1 improvements including Building A, the structured parking garage and the portions of the through-block connection included in Phase 1. It also includes the internal access and circulation for the Subject Property, in the form of a private driveway that runs east-west and connects Old Georgetown Road to the west with Grand Park Avenue to the east. Parcel B, consisting of 74,165 square feet, will include Phase 2 and Phase 3, including Building B, Building C, and the remainder of the through-block connection.

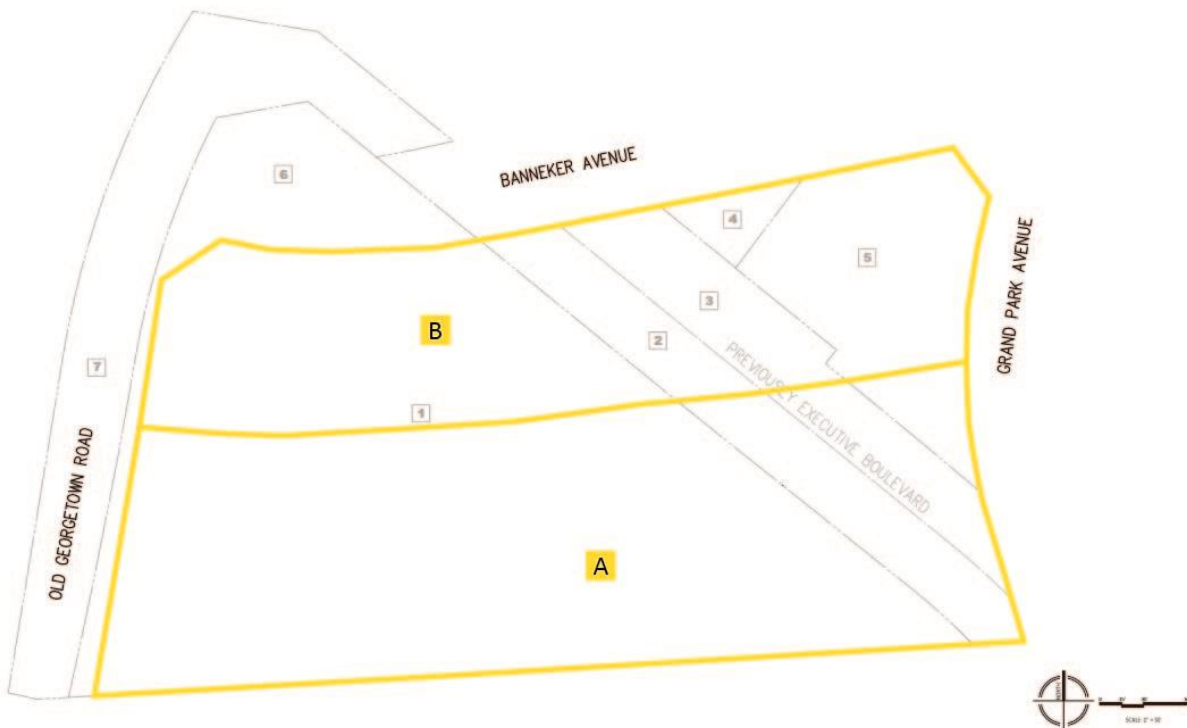


Figure 7 – Proposed Lotting Configuration

SITE PLAN AMENDMENT 82015001B

Phase 1, covered by the Subject Site Plan Amendment, will include the development of 236,466 square feet of Research and Development use in Building A at the southeast of the Subject Property, as well as the first phase of the structured parking garage containing 692 parking spaces at the southwest of the Subject Property. As part of Phase 1, the Applicant will be leasing 100 parking spaces to the Department of General Services to be used by patrons of the Kennedy Shriver Aquatic Center, Wall Local Park, and Josiah Henson Museum. The structured parking garage will be accessed via the Project's east-west private driveway and a garage entrance at the northwest of the garage.

Additionally, a future Mandatory Referral Application will include an access driveway connecting the drop-off loop at Wall Local Park to an entrance at the southwest of the structured parking garage. The details of this access driveway will be reviewed as part of this future Mandatory Referral for the Wall Local Park site. This access drive is not necessary for access or circulation of the Subject Site.

Between the structured parking garage to the west and Building A to the east, the Applicant will also construct Phase 1 of the through-block connection. At full buildout, this through-block connection will connect Wall Local Park to the south with Banneker Avenue to the north, but at Phase 1 will connect Wall Local Park to the Project's east-west private driveway. As part of the Project's Phase 1 interim condition, the Applicant will plant and maintain a seeded lawn on the northern portion of the Property. This northern portion of the Property will be developed with Buildings B and C as part of future Phases 2 and 3. The development of Buildings B and C will require site plan amendments, which may be pursued in either a concurrent or phased approach.

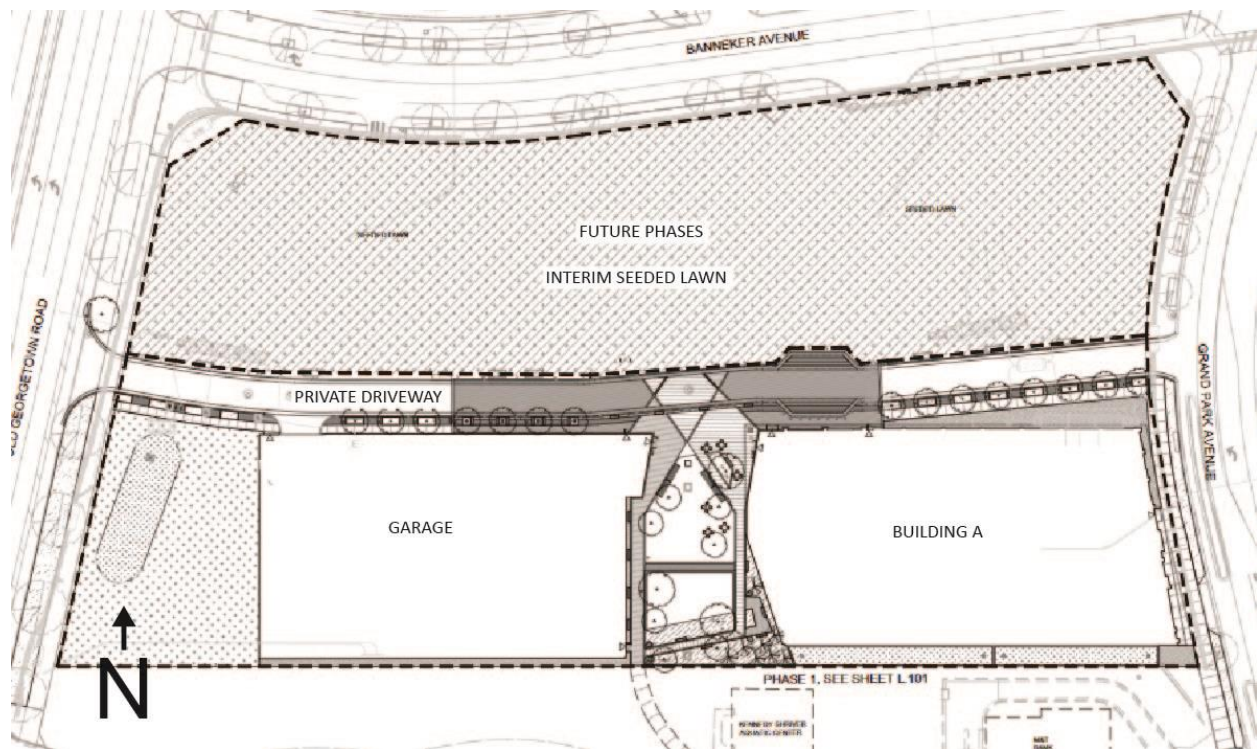


Figure 8 – Phase 1 Site Plan

Density and Height Averaging

The Subject Property as it exists today is split-zoned, with portions of the Property zoned CR-3.0, C-1.5, R-2.5, H-70 and CR-4.0, C-2.0, R-3.5, H-250. Thus, as existing the allowable heights on the Subject Property are 70 feet in some areas and 250 feet in other areas. The Applicant proposes to use height averaging in accordance with Section 59.4.5.4.B.5 of the Zoning Ordinance to achieve a maximum height of 150 feet across the entire site, which is 80 feet taller than the zoning at the west of the Subject Property, but 100 feet shorter than the zoning at the east of the Property.

Additionally, the Subject Applications use the weighted average of Subject Properties to achieve an allowable sitewide FAR of 3.18, which results in 709,396 square feet of allowable development. The

Applicant is proposing to re-allocate a portion of the Property's mapped residential FAR to nonresidential FAR pursuant to Section 59.4.5.4.B.5.c such that a total of 709,396 square feet of R&D uses can be developed.

Further discussion of the density and height averaging proposed as part of the Subject Applications can be found in Sketch Plan Finding 1 on pages 35 and 36 of this Staff Report.

Buildings/Architecture

Given the Subject Property's proximity to the North Bethesda Metrorail Station, KSAC, Wall Local Park, and the Marriott Conference Center, this development will create biotech facilities in a highly amenitized area within the 2010 *White Flint Sector Plan*. This development will bring biotech users together with other recent developments that will add vitality to the greater neighborhood. This development will complement the County's investment in the West Workaround and set the stage for future improvements in Wall Local Park.

The three lab buildings and the shared parking garage have been shaped to enhance the pedestrian experience moving both north-south from Banneker Avenue to Wall Local Park along the through-block connection and east-west along the internal driveway connecting Grand Park Avenue to Old Georgetown Road, which provides both vehicular and pedestrian access to the Property.

Where the through-block pedestrian connection and the internal east-west driveway intersect, there is a curbside private driveway with a welcoming plaza where all three biotech building lobbies meet. This raised vehicle area is designed to slow through-traffic and prioritize pedestrian movements in these special zones where three lobbies are located. Lighted bollards, planters, special pavers, and pole lights separate pedestrians and vehicular traffic.

The through-block connection provides a convenient pedestrian connection from Banneker Avenue to Wall Local Park through the site. This heavily landscaped and activated pathway connects the active residential and retail uses of Grand Park and Pike and Rose to the north with Wall Local Park to the south.

The articulated podium of Building A creates a pedestrian scale in height and cadence of vertical elements along its length. A horizontal cornice is created with an aluminum element above the second floor of the building that remains at a constant height. This cornice appears to be supported by an expression of the building columns, and the podium is further composed of alternating vertical rain-screen and glazed panels.

The Building A façade is composed of horizontally oriented rain-screen panels alternating at each floor with glazing that extends from the height of the lab benches to the ceiling, hiding both the services above the ceiling and the lab equipment at the base of the casework. The pattern of the rain screen creates a gradient from light gray to light blue to bold dark blues, wrapping the corners and continuing along the building length. These horizontal stripes are dramatically sliced at the southeast corner, creating a moment of expanded glazing where the building can announce the arrival of increased density in the urban core of North Bethesda.

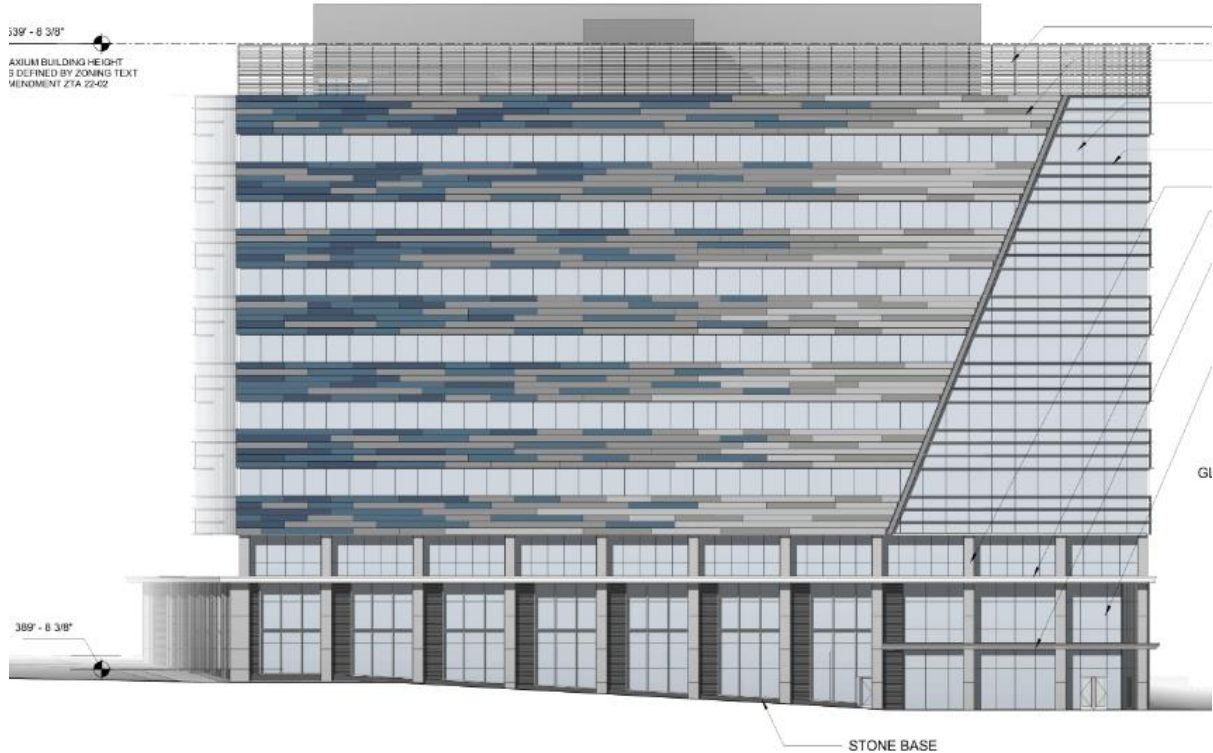


Figure 9 – North Elevation of Building A

The top of the building comprises another use of horizontal aluminum elements with louvers obscuring the view of the lab equipment on the roof, acting as a veil, revealing some of the mechanics that support the lab function of research and development uses.

The northwest corner of the lab Building A is composed of an expanse of glass, denoting the location of the lobby entry and positioned directly across from the glass corner of the garage, where a prominent stair is visible through a glazed wall through the height of the building. These two elements create a moment of connective activity along the through-block connection to Wall Local Park and a moment of arrival for visitors to the Project.

The pedestrian-scaled elements continue across the base of the precast concrete parking garage, with vertical elements concealing the vehicles while maintaining the airflow required of a naturally ventilated garage.

Open Space

While the public open space required for the Applications at full build-out is 18,311 square feet, the Applicant is proposing to exceed the requirement with a total of 20,000 square feet of public open space. As part of Phase 1, the Applicant will be providing 12,000 square feet of public open space, which exceeds the 10% requirement of 10,570 square feet. The Applicant anticipates that the public spaces on the Property will be activated by the Project’s future users and the adjacent mix of residential, employment and retail users that will circulate through the Property. The combination of

these uses creates a dynamic and active streetscape along the Old Georgetown Road, Banneker Avenue and Grand Park Avenue frontages.

The Sketch Plan Amendment proposes a pocket park at the northeast of the Subject Property, which will be more fully reviewed at the time of Site Plan Amendment for proposed Phase 2. The majority of public open space is provided as part of a through-block pedestrian connection running north-south through the property. The through-block connection will provide a convenient pedestrian connection through the site, from the Grand Park Development on the north side of Banneker Avenue to Wall Local Park to the south of the Subject Property. A mid-block crossing is being proposed to enforce the connectivity between the Project and the Grand Park Development. This heavily landscaped and activated pathway connects the active residential and retail uses of Grand Park and Pike and Rose to the north with Wall Local Park to the south.

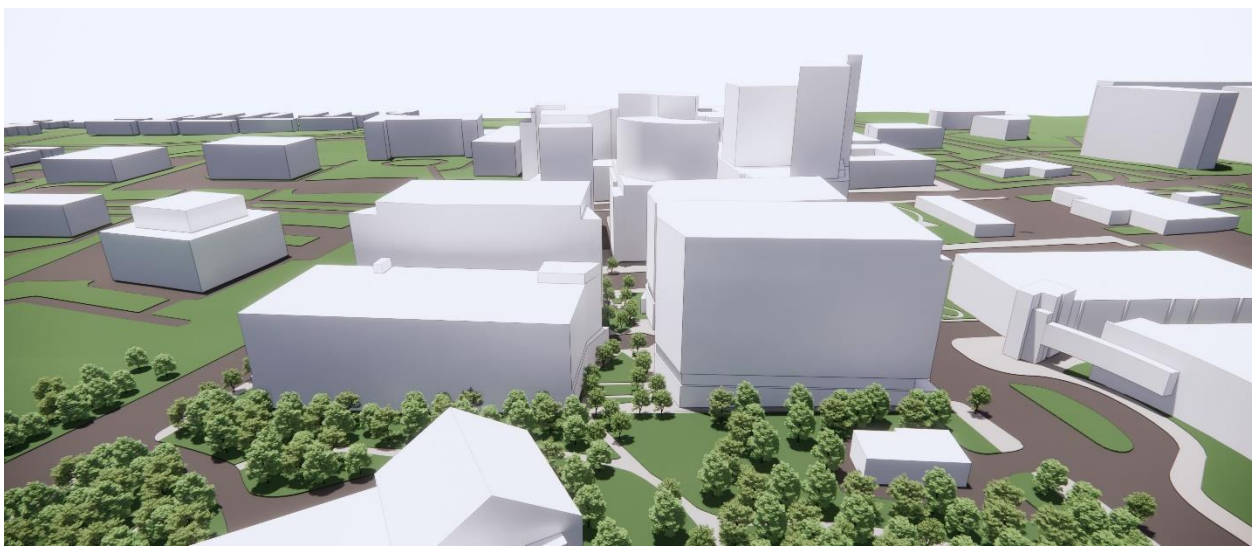


Figure 10 – Illustrative Through-block Connection Looking North from Wall Local Park⁵

The southern portion of the through-block connection included as part of Phase 1 will run between the proposed parking garage to the west and Building A to the east and provides a connection from Wall Local Park to the center of the Property. It has a large open lawn with sculptural seating and potential for artwork on the north side. The lawn will serve as a flexible open space for picnics, games, and other small events. There is a pollinator garden on the south side of the development, which will serve as an educational garden for children and grownups alike. Various seating opportunities are scattered throughout the lawn and gardens and provide a direct ADA connection from Wall Local Park to the parking garage. It is intended that this area is experienced as an extension of Wall Local Park, pulling the Park amenities into the site to further enhance the space.

The central portion of the through-block connection, where it intersects with the Project's east-west driveway, is at the heart of the development with all the building entrances at this intersection. The design goal is to provide a welcoming plaza that is open and pedestrian friendly. The east-west

⁵ Figure 10 depicts the ultimate condition of the Subject Property, existing dry dive building on Wall Local Park is not shown.

driveway is designed with lighted bollards, planters, pavers, and pole lights to separate pedestrian and vehicular traffic. This raised vehicle area is designed to slow through traffic and to prioritize the pedestrian movements in this zone.

The through-block connection north of the east-west private driveway will be constructed as part of Phase 2. This northern portion of the through-block connection will consist of a central plaza along Banneker Avenue that will serve as a gateway to the mixed-use development to the north and is intended for more active use. This plaza design has an amphitheater and serves as a space for gathering, performing, casual seating and relaxing. The edge of the plaza will have stairs, seat walls, movable tables and chairs, which will provide a variety of seating opportunities. The 12-foot grade change also serves as an opportunity to showcase the stormwater management practices on site via stepped walls and scuppers. The flexible design of this plaza area allows for a variety of programming to occur, such as seasonal markets and other outdoor events. The full details of this open space will be reviewed as part of a future Site Plan Amendment Application for Phase 2.

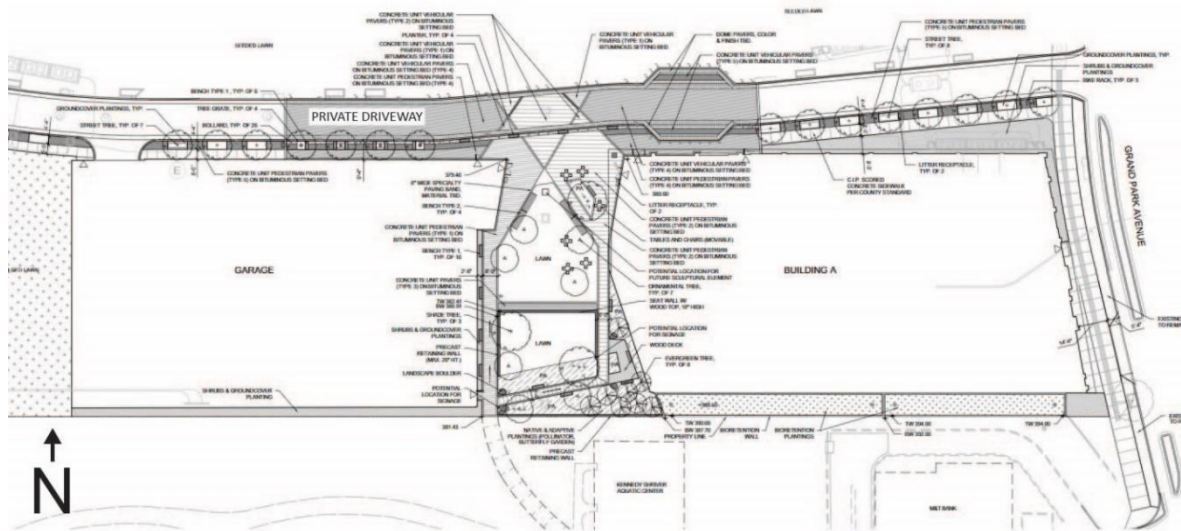


Figure 11 – Through-block Connection Phase 1 Landscape Plan

TRANSPORTATION

Vehicular access to the Property is primarily proposed through a private driveway that connects Old Georgetown Road and Grand Park Avenue and that connects to the proposed garage. Future Building C’s loading bay will be accessed via the private driveway. The private driveway will also include a vehicle layby area between Building A and Building B. Additionally, there are two loading bays proposed that have separate access points. The first serves Building A and is accessed from Grand Park Avenue. The second will serve future Building B and is accessed from Banneker Avenue.

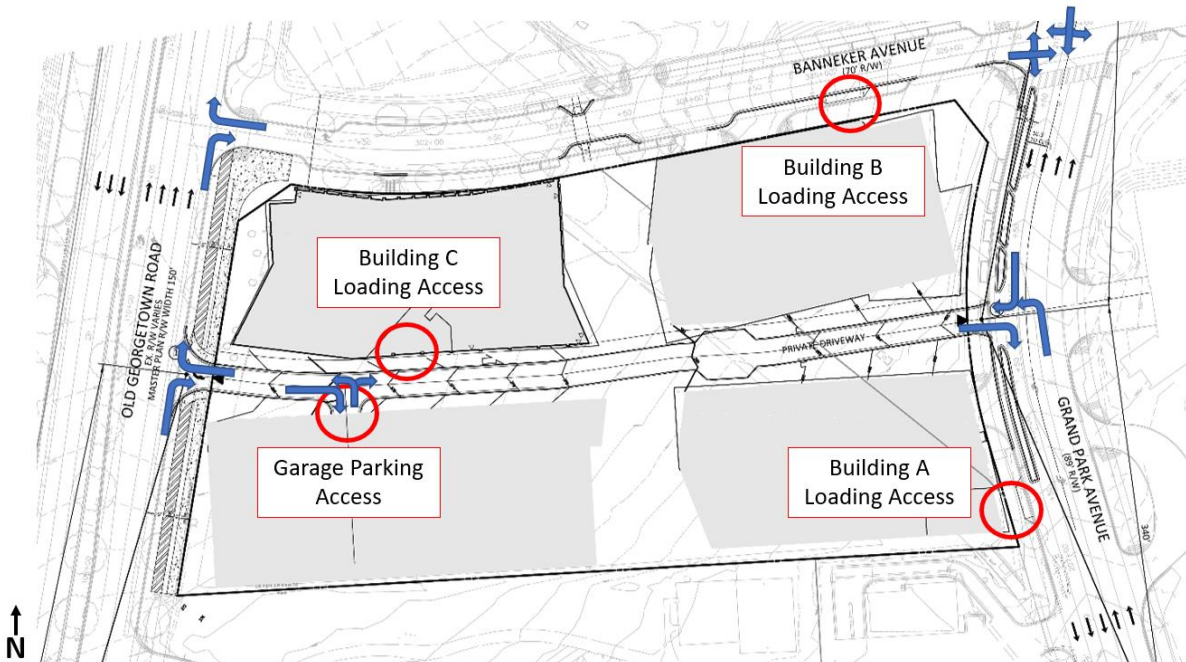


Figure 12 - Vehicle Loading and Access Locations

The private driveway is designed as a two-lane roadway with 10-foot-wide travel lanes in each direction. At the center of the site where the road intersects with the proposed through-block connection, it will function as a pedestrian focused street with a flush curb design and a plaza on each side.

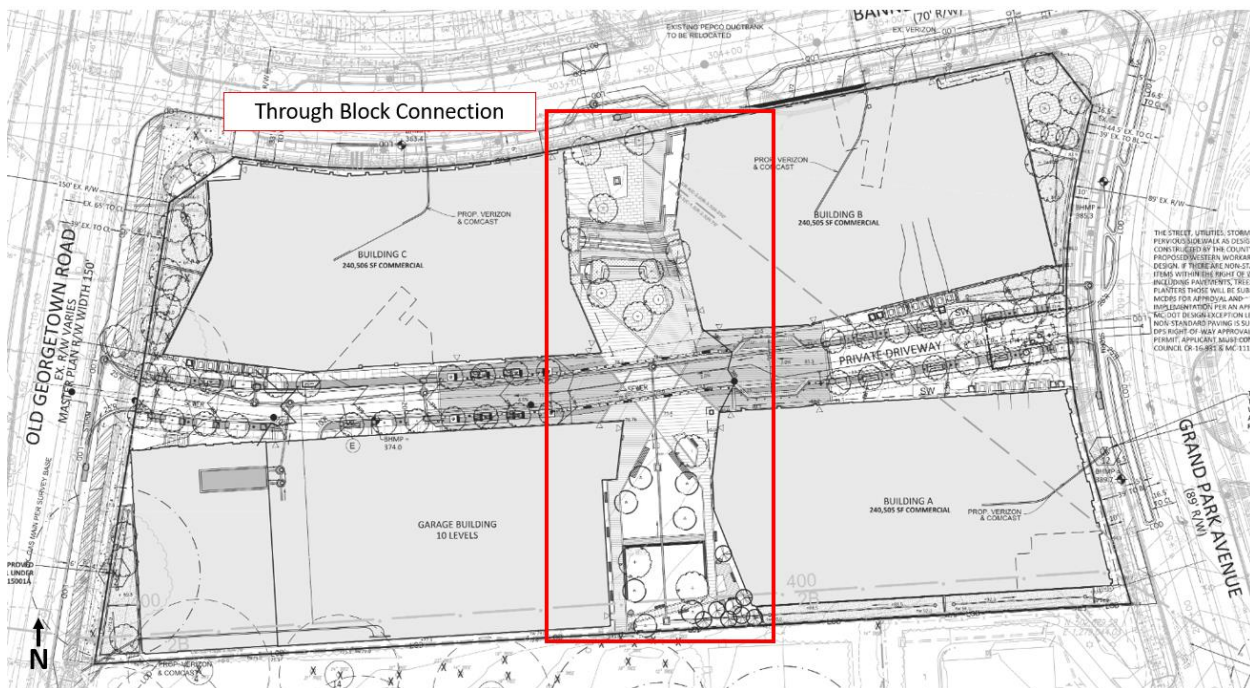


Figure 13 - Through Block Connection

On each end of the private driveway, the 10-foot-wide travel lanes are buffered by a 5-foot-wide street buffer and a 5-foot-wide sidewalk on both sides. Just to the east of the intersection of the private driveway and the through block connection there is a proposed layby zone that provides a 13-foot-wide area for pick-up and drop-off activity adjacent to Building A and future Building B.

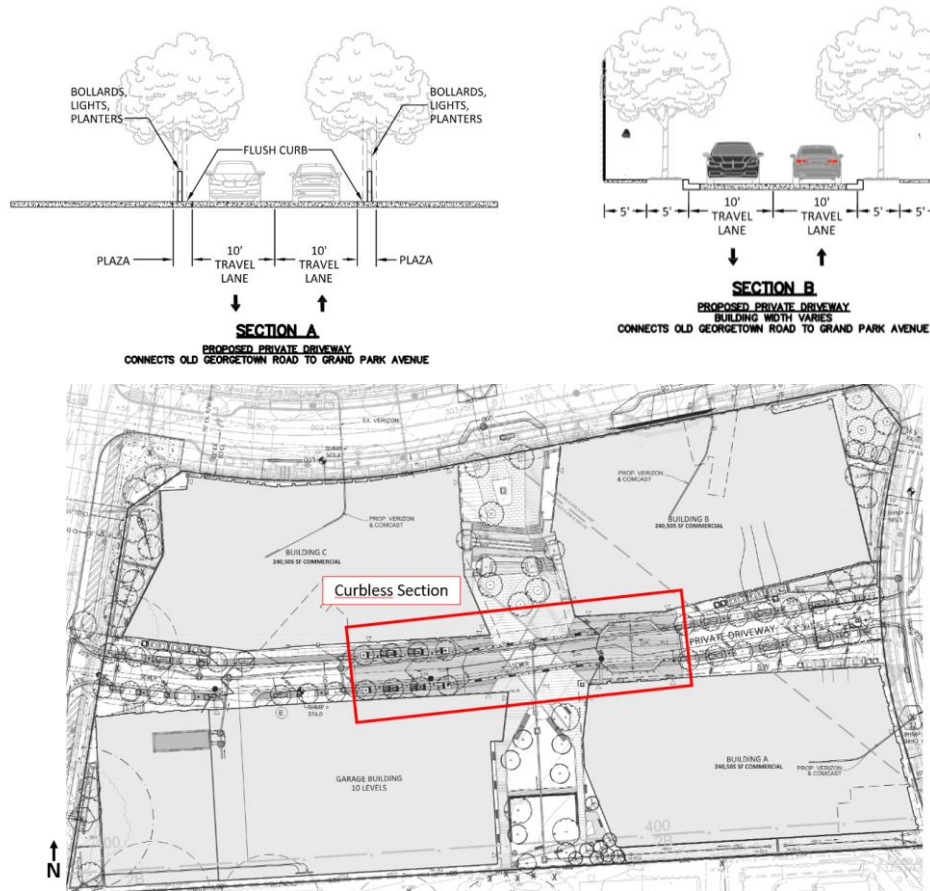


Figure 14 - Private Driveway Cross-Section

The parking garage, which will be constructed as part of Phase 1, will serve the entire development as well as providing a minimum of 100 parking spaces leased by the County for users of Wall Local Park, KSAC, and Josiah Henson Museum. At Phase 1, the parking structure will include 692 vehicle spaces, which is more than the minimum (236 spaces) and fewer than the maximum (709 spaces). The total spaces include twelve motorcycle, ten Electric Vehicle charging spaces, six car share spaces, nineteen standard ADA spaces, and five ADA van spaces. The parking garage will also contain seventy-five long-term bicycle parking spaces. Given the unique site characteristics and the unified site plan development, the long-term bicycle parking may be located entirely within the parking garage, waiving the requirement of Section 59.6.2.6.B.1.C for all future site plan amendment applications pertaining to the realization of the Phases 2 and 3.

Pedestrian and bicycle access will be provided from improved sidewalk and bicycle facilities along the site frontages of Old Georgetown Road and Grand Park Avenue and an improved mid-block crossing across Banneker Avenue that connects to the through-block connection that bisects the site.

Old Georgetown Road, which is part of the Breezeway Network, will have an 8-foot-wide sidewalk and an 8-foot-wide bicycle path with a 4-foot-wide buffer between the two. A 6-foot-wide street buffer will

separate these facilities from the roadway. An on-street 6-foot-wide bike lane with a 3-foot-wide bike lane buffer will also be present on the roadway.

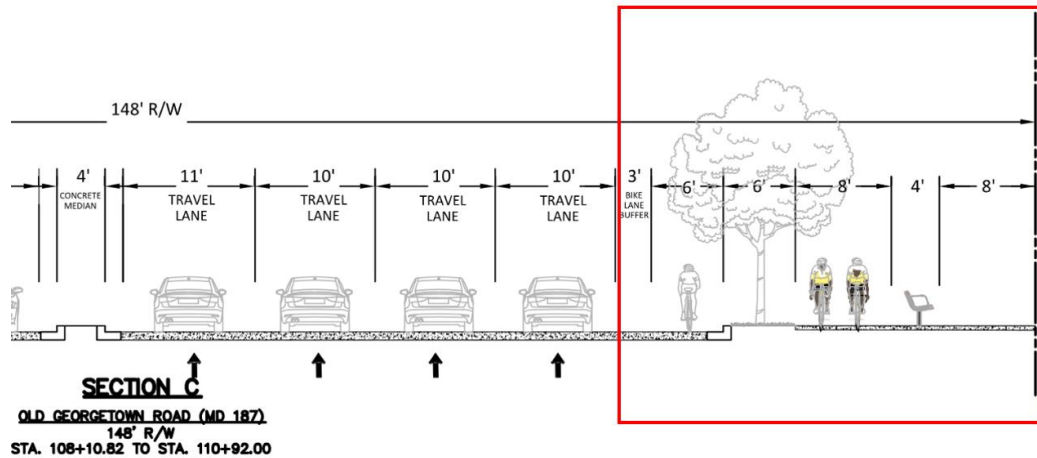


Figure 15 - Old Georgetown Road with Subject Property Frontage Improvements Outlined in Red

Banneker Avenue will maintain the existing 10-foot-wide shared use path with a 6-foot-wide street buffer. On Grand Park Avenue, the existing 10-foot-wide sidewalk and 6.5-foot-wide buffer will be retained, while a separated bikeway that includes a 6.5-foot-wide bike lane and 5-foot-wide buffer will be added. Per the MCDOT letter dated May 18, 2023, MCDOT recommends a bus stop be installed at the corner of Old Georgetown Road and Banneker Avenue.

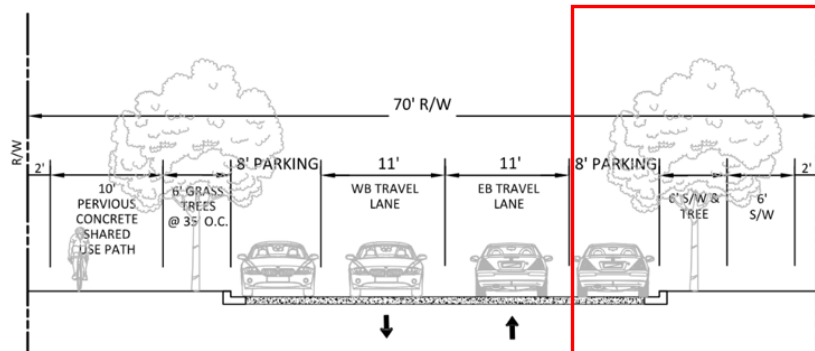


Figure 16 - Banneker Avenue Frontage looking east

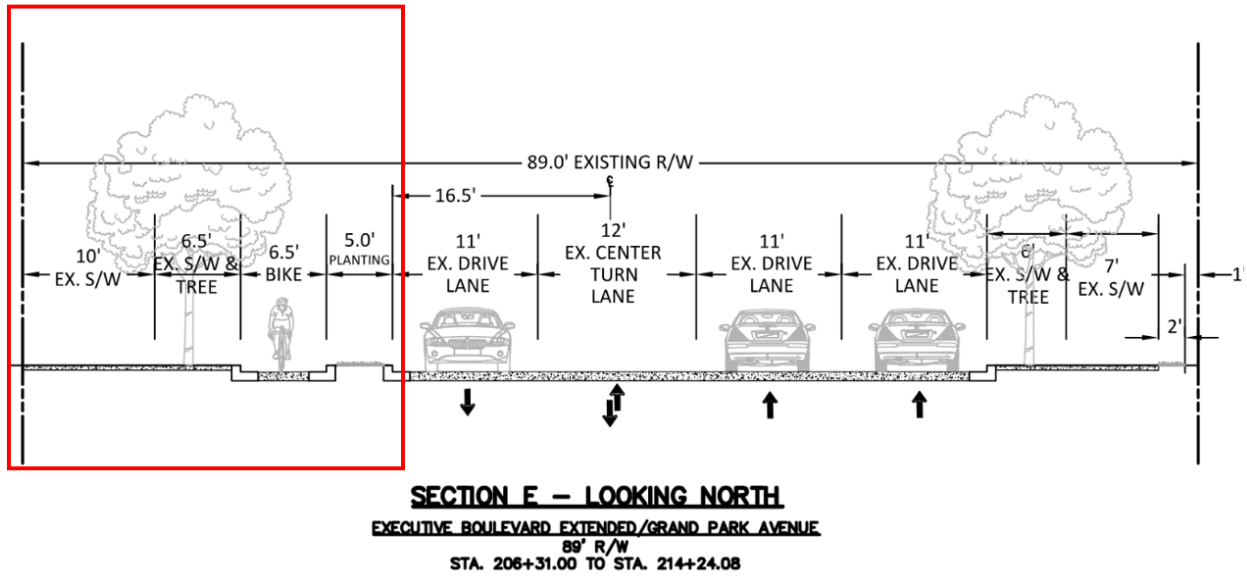


Figure 17 - Grand Park Avenue with Subject Property Frontage Improvements Outlined in Red

Environment

The Final Forest Conservation Plan requires the provision of 0.63 acres of afforestation. The Applicant has already provided 0.79 acres of mitigation in an M-NCPPC approved offsite forest bank through the preservation of 1.58 acres of existing forest. Please see the analysis in the Preliminary Plan Finding 4 and Site Plan Finding 1.e.ii of this Staff Report for an expanded explanation of the Forest Conservation Plans.

SECTION 5: FINDINGS AND ANALYSIS

SKETCH PLAN AMENDMENT 32013001A

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review. Section 59.7.3.3.E of the Zoning Ordinance states: “To approve a Sketch Plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at Site Plan. The Sketch Plan must:

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

Table 2: Evolution Labs North Bethesda Sketch Plan Data Table for CR Zone, Optional Method, Section 59.4.5.4

Development Standard	Permitted/ Required	Proposed
Tract Area	n/a	222,744 sf
Site Area	n/a	183,106 sf
Mapped Density CR-3.0, C-1.5, R-2.5, H-70’ CR-4.0, C-2.0, R-3.5, H-250’	3.0 FAR 4.0 FAR	3.18 FAR (achieved through density averaging)
Commercial (GFA/FAR)		3.18 FAR ⁶
Total Mapped Density (GFA/FAR)		3.18 FAR
Total GFA/FAR		3.18 FAR
Building Height, max average	150 ft	150 ft ⁷ (achieved through height averaging)
Public Open Space (min s.f.)	18,311	20,000

The Applicant is eligible for additional building height through the use of height averaging through the provisions of Section 59.4.5.4.B.5 because the Subject Property: 1) is located in a 2020-2024 Growth and Infrastructure Policy Red Policy area; 2) fronts on three (3) public streets that are classified as an Area Collector or higher roadway designation; 3) does not abut or confront a property in an Agricultural, Rural Residential, Residential Detached, or Residential Townhouse zone that is vacant or improved with an agricultural or residential use; and 4) achieves Public Benefit points for Adaptive Buildings under Section 59.4.7.3.D.1.

Additional building height for the proposed research and development uses is permitted because the development site includes a property with a mapped height of 100 feet or less. The weighted average building height for the Property’s split zoning between 70 feet and 250 feet is 111 feet, which is permitted to be increased by 1.5 times in accordance with Section 59.4.5.4.B.5.b. of the Zoning Ordinance for a total building height allowed of 166.5 feet, which is in excess of the maximum building

⁶ In accordance with Zoning Code Section 59.4.5.4.B.5.c

⁷ In accordance with Zoning Code Section 59.4.5.4.B.5.b

height allowed under Section 59.4.5.4.B.5.b.i. As a result, the Subject Application proposes a maximum of 150 feet of building height, as permitted by Section 59.4.5.4.B.5.b.i of the Zoning Ordinance.

The Subject Application is also utilizing density averaging to reach 709,396 square feet of allowable development. The weighted average of total allowable FAR on the Subject Properties is 3.18 FAR, which when applied to the gross tract area of 5.11 acres results in 709,396 square feet of total allowable development.

Additionally, the Applicant is proposing to re-allocate the Property's mapped residential FAR to nonresidential FAR pursuant to Section 59.4.5.4.B.5.c such that a total of 709,396 square feet of research and development uses can be developed.

A breakdown of the parcels of land being used for height and density averaging can be found in this Staff Report in Figure 3 and Table 1 on pages 19 and 20.

a) Implement the recommendations of applicable master plans (59.4.5.1.A)

The Subject Property is located within the area identified by the 2010 *White Flint Sector Plan* as the Metro West District. More specifically, the Property consists of a portion of the areas identified as Block 1: Conference Center and Block 2: Wall Local Park (Sector Plan, page 28). The specific recommendations of the Sector Plan have been met, as outlined below:

Sector Plan Page 29: "Rezone the rest of the block to CR-3.0, C-1.5, R-2.5, H-70 to ensure a transition in height and density between Block 1 at the Metro station and the existing residential development across Old Georgetown Road."

The Project's proposal for three research and development buildings with up to 150 feet of building height through the use of height averaging will allow for a transition in building height between the intensive uses to the east and the single-family residential community on the west side of Old Georgetown Road.

Sector Plan Page 28: "Properties zoned C-2 and TS-R fronting Rockville Pike should be rezoned to CR-4, C-3.5, R-3.5, H-300 with the remainder of the block CR-4, C-2, R-3.5 and H-250. The lower height in the block's interior will be consistent with residential development across Marinelli Road, which is 200 feet or greater. The Conference Center property is split zoned to accommodate taller buildings along Rockville Pike and lower buildings on the west."

The portion of the Property that is located in the Conference Center Block allows for up to 250 feet of building height, which allows for the use of height averaging in accordance with Section 59.4.5.4.B.5 of the Zoning Ordinance. Consistent with the Sector Plan vision for the Metro West District, the Project will allow for a compatible transition between taller buildings on Rockville Pike and the single-family community to the west of Old Georgetown Road.

Sector Plan Page 29: "The land area remaining after the intersection realignment of Old Georgetown Road and Executive Boulevard will be reconfigured into rectangular blocks in sizes more conducive to redevelopment."

The Project allows for consolidation of the former Executive Boulevard right-of-way and a portion of the Conference Center's surplus land through the disposition and abandonment processes to create

two reconfigured parcels that will accommodate a cluster of urban research and development buildings.

Sector Plan Page 28: “The Plan recommends public investment in the Market Street Civic Green promenade, and outdoor recreational facilities at Wall Local Park. Assembly or combined development would best create the proposed street grid, especially in Blocks 1 and 2.”

The Applicant is proposing significant investment in public infrastructure and open space as part of the Project. In addition to streetscape improvements along Banneker Avenue, Grand Park Avenue and Old Georgetown Road, the Subject Application proposes a total of 20,000 square feet of public open space in the form of a pocket park at the intersection of Banneker Avenue and Grand Park Avenue, and a pedestrian through-block connection between Wall Local Park and Banneker Avenue. As a result, the Project is providing more than the minimum amount of public open space, which will enhance the existing recreational facilities at Wall Local Park and the Kennedy Shriver Aquatic Center. Furthermore, the Applicant is providing 100 parking spaces for lease by the County for public use to accommodate the needs of Wall Local Park, Kennedy Shriver Aquatic Center and Josiah Henson Museum, which will allow for the revitalization of Wall Local Park by Montgomery Parks.

Sector Plan Page 60: “This Plan envisions a public/private partnership with adjacent properties to relocate the surface parking within a parking structure built in conjunction with new residential development. This would help redirect public sector funds from building structured parking on-site to improving Wall Local Park.”

The Project incorporates a parking garage with up to 100 public parking spaces to be leased by the County, which will allow for removal of the surface spaces in Wall Local Park and the potential for park improvements at Wall Local Park.

Sector Plan Page 6: “There are few locations remaining in Montgomery County where excellent transit service and redevelopment potential coincide. The MD-355/I-270 Corridor is a historic travel and trade route that links communities in Montgomery County to those in Frederick County. In the last 30 years the corridor has emerged as a prime location for advanced technology and biotechnology industries with regional shopping and cultural destinations.”

While the Sector Plan expressly acknowledges and supports locating research and development uses in the Sector Plan boundaries, the more recently adopted 2022 Montgomery County Economic Development Strategic Plan recommends recruiting “life sciences companies to Montgomery County to increase the density of its bio-health establishments.” The Project’s inclusion of a cluster of research and development buildings is in keeping with this recommendation.

As noted above, the Subject Application conforms to the specific recommendations of the 2010 *White Flint Sector Plan*.

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

The Project allows for infill redevelopment of an underutilized property to create a cluster of life science uses that will realize the Sector Plan vision for a reconfigured block with streetscape improvements, public open space, and public benefits.

- 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 Application will introduce a new commercial use to the Sector Plan area in the form of urban life science buildings, which will complement the existing mix of residential, retail, and employment uses in the vicinity of the Property. The redevelopment will revitalize this portion of the Metro West District through the construction of streetscape improvements along Banneker Avenue, Grand Park Avenue, and Old Georgetown Road, while also delivering a pocket park and a through-block connection that will activate and enhance Wall Local Park. All parking is proposed in a structured parking facility; therefore, parking will be prohibited between the street frontages and buildings.

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

The Project includes three research and development buildings with up to 150 feet of building height across the Property. The additional density and height proposed as part of the Application is designed in a manner that is context-sensitive to the adjacent single-family community to the west and that will create a transition to more intensive uses to the north and east.

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

While there is an abundant supply of housing options in the Sector Plan area (including several approved but unbuilt residential projects in the pipeline), the Project proposes to enhance the County's commercial tax base through development of up to 709,396 square feet of research and development uses.

- 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 Subject Application demonstrates that the Project will satisfy the CR Zone requirements for an optional method project. More specifically, the Project will provide more than the minimum required Public Benefit points (100 points) from six (6) different benefit categories. The Application is seeking 121.55 Public Benefit points, 57 of which will be provided as part of Phase 1.

Table 3: Public Benefits

Category	Subcategory	Total Points	Phase 1 Building A	Phase 2 Building B	Phase 3 Building C
Major Public Facility	Public parking spaces for lease by the County in shared garage	26.21	26.21	0.00	0.00
Transit Proximity	Site within 1/4 to 1/2 mile of North Bethesda Metro	30.44	10.15	10.15	10.15
Connectivity and Mobility	Minimum Parking	8.67	2.50	3.09	3.09
	Through-block Connection	10	3.33	3.33	3.33
Diversity of Uses and Activities	Adaptive Buildings	7.5	2.50	2.50	2.50
Quality Building and Site Design	Exceptional Design	10	3.33	3.33	3.33
	Public Open Space	0.92	0.92	0.00	0.00
	Structured Parking	10	3.33	3.33	3.33
Protection and Enhancement of the Natural Environment	Building Lot Terminations	12.81	2.72	5.05	5.05
	Cool Roof	5	1.67	1.67	1.67
		121.55	56.66	32.45	32.45

Major Public Facility

The Subject Application proposes construction of approximately 100 public parking spaces in a shared structured parking facility to be leased by the County, which will facilitate enhanced public use of Wall Local Park by allowing for the removal of the existing surface parking lot. This provision of parking was discussed in the Sector Plan, which envisions the relocation of the existing surface parking lot on Wall Local Park so that “there will be space for outdoor recreational facilities” at Wall Local Park. Consistent with the previous Site Plan, which granted Public Benefit points for allocating space on the development site for public parking spaces with the recognition that such spaces would be funded through public financing, this Subject Application carries forward the same approach.

Also anticipated is the construction of an access driveway connecting the Kennedy Shriver Aquatic Center vehicular drop-off loop directly with the shared parking garage at the southwest of the Subject Property. The design of the Project’s parking garage includes an entrance near the southwest corner of the Phase 1 garage where the anticipated access driveway will connect. The details of this access road will be reviewed and determined as part of a future Mandatory Referral Application. The Subject Staff Report conditions that the Applicant submit this Mandatory Referral before issuance of first above-grade building permit for proposed Building A.

The Subject Application is seeking 26.21 Public Benefit points for the provision of 100 public parking spaces, estimated to be approximately 24,000 square feet of floor area, within the structured parking garage to be leased by the County. All of the public parking spaces will be constructed as part of Phase 1, and therefore all points in this category are proposed to be awarded for Phase 1. The Public Benefit points for Major Public Facility were calculated as shown below.

Table 4: Major Public Facilities

Major Public Facilities		
N	Net Lot Area	183,106
L	Land Area Conveyed	0
F	Floor Area Conveyed	24,000
C	Constructed Area of Facility	0
	$\frac{((L+F)/N)*2}{100}$	
	$\frac{((24000/183,106)*2)}{100} =$	26.21 points

Transit Proximity

The Subject Application seeks 30.44 Public Benefit points based on the Subject Property’s proximity to the North Bethesda Metrorail Station. The Subject Property contains areas that are within 1/4 mile of the transit station, and other areas that fit within the ¼ mile to ½ mile from transit classification. Due to the different proximity classifications, the Public Benefit points are calculated using a weighted average between the two classifications.

Table 5: Transit Proximity

Transit Proximity		
T	Total Tract Area	224,221 sf
t1	Tract Area within 1/4 mile of Transit	9,973 sf
t2	Tract Area between 1/4 and 1/2 mile of Transit	214,248 sf
P1	Points for Proximity Range 1 (w/in 1/4 mile)	40 points
P2	Points for Proximity Range 2 (b/w 1/4 mile and 1/2 mile)	30 points
	$(\frac{t1}{T}) * P1 + (\frac{t2}{T}) * P2$	
	$(\frac{9,973}{224,221}) * 40 + (\frac{214,248}{224,221}) * 30$	
	$1.78 + 28.66 =$	30.44 points

Minimum Parking

The Subject Property is located in a Reduced Parking Area pursuant to Section 59.1.4.2 of the Zoning Ordinance because the Property is not located in a Parking Lot District but is zoned CR. As a result, the Project is eligible for Public Benefit points for providing fewer than the maximum allowable parking spaces specified by the Zoning Ordinance. The Subject Application is seeking 8.67 Public Benefit points by proposing significantly fewer parking spaces than the maximum allowed in the Zoning Code. For purposes of calculating Public Benefit points, the 100 parking spaces being constructed and leased to the County for public users of Wall Local Park, the Kennedy Shriver Aquatic Center, and Josiah Henson Museum are not counted towards parking counts.

Table 6: Minimum Parking

Minimum Parking		
R	Minimum Parking Allowed	710 spaces
A	Maximum Parking Allowed	2,129 spaces
P	Proposed Parking	899* spaces
	$((A-P)/(A-R))*10$	
	$((2,129-899)/(2,129-710))*10$	
	$(1,230/1,419)*10 =$	8.67 points

*does not include 100 spaces to be leased by the County

Through-block Connection

The Project includes a north-south through-block connection between Banneker Avenue and Wall Local Park, in accordance with the Sector Plan vision for enhanced public amenities in the Metro West District. The Subject Application is seeking 10 points by providing this through-block connection through the Subject Property. The through-block connection is discussed in greater detail in the Open Space section on page 28 of this Staff Report. In order to be awarded the maximum of 10 points, the through-block connection must 1) be an open-air connection, 2) be at least 15 feet wide, and 3) be open to the public between 8AM and 9PM and provide a connection to public parking. All three of these criteria are met and therefore Staff recommends that the project be awarded 10 Public Benefit points.

Adaptive Buildings

The Subject Application seeks 7.5 Public Benefit points in the Adaptive Buildings category. This Public Benefit is required in Zoning Ordinance Section 59.4.7.3.D.1. and Section 59.4.5.4.B.5. as part of the proposed height averaging on the property. The life science buildings are designed with minimum floor-to-floor heights of at least 15 feet on all floors. Further, internal structural systems are robust and able to accommodate various types of uses with only minor modifications. The lobby and vertical circulation are arranged such that the building can accommodate reconfiguration into office or residential units in lieu of the lab space, with the research and development uses continuing to be the primary use at the Project. Staff recommends that 2.5 points be granted for each of the three proposed buildings, for a total of 7.5 points.

Exceptional Design

In order to achieve Public Benefit points for Exceptional Design, the following criteria must be met:

- 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

- Materials, forms, or building methods unique to the immediate vicinity or applied in a unique way
- Compact, infill development so living, working and shopping environments are more pleasurable and desirable
- Integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements

The Subject Application seeks 10 points for Exceptional Design. The Project is eligible because the proposed building and site design will have visual and functional impacts that will enhance the character of the Metro West District. The Project will be constructed of high-quality materials, with aluminum window systems glazed in Low-E insulated windows extending from the lab bench height to the ceiling. A horizontally oriented rain-screen will include both a scale and pattern to bring richness to the façade and a scale that reads both at the pedestrian level and the larger scale of the building. Painted aluminum detailing and projections at glazed areas of the façade will enhance the horizontal movement in the building and further articulate the surface of the building in a color and finish that will reflect light throughout the day. The base of the building will be scaled to the pedestrian with a low cornice and articulated vertical columns and piers to create a rhythm across the building façade. The design of the Project also showcases stormwater management by using various elements like stepped walls and scuppers that highlight the stormwater management process at various stages. All of the criteria of Exceptional Design have been met, and therefore Staff supports 10 Public Benefit points for this category.

Public Open Space

The Subject Application seeks 0.92 Public Benefit points for providing more than the minimum required public open space on site. Based on the net lot area of 183,106 square feet, the Zoning Code-required minimum public use space is 18,311 square feet, or 10% of the net lot area. The Applicant proposes to provide 20,000 square feet of public use space. Based on the calculations shown below, Staff supports 0.92 Public Benefit points for this category.

Table 7: Public Open Space

Public Open Space		
N	Net Lot Area	183,106
R	Required Public Use Space	18,311
P	Provided Public Use Space	20,000
	$((P-R)/N)*100$	
	$((20,000-18,311)/183,106)*100 =$	0.92 points

Structured Parking

The Subject Application seeks 10 Public Benefit points for providing a structured parking garage. The structured parking garage will contain 999 above-ground spaces and zero below-ground spaces. For purposes of this category, the parking spaces that will be leased to the County for public use are included in the overall parking counts. Staff supports 10 points for this category.

Table 8: Structured Parking

Structured Parking		
A	Above-grade Spaces	999 spaces
B	Below-grade Spaces	0 spaces
T	Total Spaces	999 spaces
	$((A/T)*10)+((B/T)*20) =$	10 points

Building Lot Terminations

The Subject Application seeks 12.81 Public Benefit points for the purchase of Building Lot Terminations. The Subject Application requires the provision of incentive density, which necessitates the use of Building Lot Terminations. The Project proposes 598,024 square feet of incentive density, which will require 1.4239 BLT easements at full build-out. However, as part of Phase 1 development of Building A, 0.3025 BLT easements are required. The Applicant proposes to phase the required BLT easements such that a partial BLT easement will be provided for Building A, with the remaining BLT easements satisfied during future phases of development. The Applicant will be required to purchase 1.4239 BLTs, which equates to 12.81 Public Benefit points, as shown below.

Table 9: Building Lot Terminations

Building Lot Terminations		
I	Incentive Density	598,024 sf
D	7.5% of Incentive Density	44,852 sf
B	BLTs required (One for every 31,500 sf of D)	1.4239 BLTs
-		
	$B*9 =$	12.81 points

Cool Roof

The Subject Application seeks 5 Public Benefit points for providing a Cool Roof. On sites larger than one acre, Public Benefit points for this category are limited to a maximum of 5. Twenty-seven thousand (27,000) square feet of the 80,000 total square feet of roof area will qualify as a Cool Roof, which qualifies the Project for the maximum of 5 points.

2. Substantially conforms to the recommendations of the applicable master plan;

As discussed in the Sketch Plan Finding 1.a above, the Application complies with the Sector Plan's recommendations for the Subject Property and Metro West District.

3. The Sketch Plan satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014;

This requirement is not applicable as there is no development plan or schematic development plan for the Property.

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

The Project will be both internally and externally compatible with existing and pending nearby development. The building massing, open space, and circulation systems are designed to allow for a compatible transition from the urban core of the Sector Plan to Wall Local Park and the single-family residential community to the west of Old Georgetown Road. The Project incorporates a through-block connection between Banneker Avenue and Wall Local Park, to create the civic and recreational amenities envisioned in the Sector Plan. The Project will allow for delivery of significant employment opportunities near both the North Bethesda Metro Station and a variety of retail and residential uses, to further the Sector Plan vision for "improving the jobs-housing balance in the I-270/MD 355 corridor" (page 24).

5. 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 Subject Property will occur primarily via an east-west private driveway that connects Old Georgetown Road to the west of the site with Grand Park Avenue to the east of the site. The proposed parking garage that will serve the site will be accessed off of the private driveway as will the loading bay access for Building C. A layby area is also located on the private driveway. Loading bay access for Building B will be accessed via Banneker Avenue to the north and loading bay access for Building A will be accessed via Grand Park Avenue.

Pedestrian and bicycle access will be improved along Old Georgetown Road, Banneker Avenue, and Grand Park Avenue and will be improved through the development of a north-south through-block connection that bisects the site. This will provide a safe pedestrian connection from Banneker Avenue to the north with Wall Local Park to the south. The private driveway will also include pedestrian facilities, providing east-west connectivity through the site.

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

As described in Sketch Plan Finding 1.f above, the Applicant proposes to exceed the required 100 Public Benefit points by seeking 121.55 points. The Applicant is seeking points for Major Public Facility (provision of public parking), Transit Proximity, Minimum Parking, Through-Block Connection, Adaptive Buildings, Exceptional Design, Public Open Space, Structured Parking, Building Lot Terminations, and Cool Roof.

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

The Applications establish a feasible and appropriate phasing plan for build-out of the three research and development buildings. The required rights-of-way, sidewalks, dedications, and public open space will be phased appropriately. All of the public parking spaces to serve users of KSAC, Wall Local Park and Josiah Henson Museum will be provided in the first phase of development as well. The Sketch Plan illustrates how Public Benefit points will be phased through development of Buildings A, B and C. Prior to development of Buildings B and C, the Applicant will need approval of site plan amendments containing the details of those proposed buildings.

PRELIMINARY PLAN AMENDMENT 12015001B

The Preliminary Plan Amendment proposes to create two parcels, one for Phase 1 of development, and one for Phases 2 and 3, for a total of 709,396 square feet of commercial R&D development. Parcel A, which will include Phase 1, will be 105,698 square feet, and Parcel B, which will include future Phases 2 and 3, will be 74,165 square feet.

The Applicant proposes a Preliminary Plan validity period of three years for Parcel A, and a Preliminary Plan validity period of six years for Parcel B, in accordance with the provisions and requirements of Section 50.4.2.G.2.b of the Subdivision Regulations. The Applicant proposes an Adequate Public Facilities validity period of five years for Phase 1, seven years for Phase 2, and ten years for Phase 3, in accordance with the provisions of Section 50.4.3.J of the Subdivision Regulations. These proposed validity periods are within the ranges prescribed in the Subdivision Regulations, and therefore no further findings are required.

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application has been reviewed by other applicable State, County and City agencies.

- 1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.**
 - a. The block design is appropriate for the development or use contemplated**
 - b. The lot design is appropriate for the development or use contemplated**
 - c. The Preliminary Plan provides for required public sites and adequate open areas**
 - i. Master Planned Sites**
 - ii. Local Recreation**
 - iii. Transportation and Utilities**
 - d. The Lot(s) and Use comply with the basic requirements of Chapter 59**

The Preliminary Plan Amendment will allow for consolidation of the various parcels comprising the development site to allow for two reconfigured parcels as envisioned by the Sector Plan. The size, width, shape, orientation, and density of the proposed parcels are all appropriate given the Property's location in the Metro West District of the Sector Plan. The proposed reconfigured parcels will be bounded by Old Georgetown Road to the west, Banneker Avenue to the north, and Grand Park Avenue to the east. The proposed subdivision also contains a private internal driveway that will bisect the Subject Property running east-west, which will allow for safe and efficient multi-modal transportation options. As stated in the required findings for approval of the Sketch Plan and Site Plan, the Preliminary Plan complies with all requirements in the Zoning Ordinance.

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

As described in detail above in Sketch Plan Finding 1.a, the Subject Application complies with the Sector Plan’s recommendations for the Subject Property and Metro West District.

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

As described in the finding below, all public facilities will be adequate to support and service the Subject Applications.

a) Roads and other Transportation Facilities

i. Existing Facilities

Old Georgetown Road is a Downtown Boulevard with varied right-of-way width and a master-planned width of 150 feet total. It currently has six travel lanes and a 10-foot-wide side path on the west side of the street.

Banneker Avenue is a Downtown Business Street with right-of-way width of 70 feet total. It currently has two travel lanes and a 6-foot-wide sidewalk on the south side of the street and a 10-foot-wide sidewalk on the north side of the street.

Grand Park Avenue is a Downtown Boulevard with an existing right-of-way width of 89 feet. It currently has two-travel lanes and a 10-foot-wide side path on the west side of the street and a 7-foot-wide sidewalk on the east side of the street.

The immediate area is well served by transit that includes the Red Line North Bethesda Metrorail Station located a block to the east. The Station is served by regional rail as well as several Montgomery County Ride On bus routes as well as WMATA bus route C8 which provides service between the North Bethesda Metrorail Station and College Park. While there are no bus stops located along the project frontage, there are stops nearby including to the north on Old Georgetown Road and to the southeast on Marinelli Road. The bus stop on Old Georgetown Road is served by Montgomery County Ride On routes 5, 26, and 81. The bus stop on Marinelli Road is served by Ride On route 26.

- Route 5 provides Monday through Sunday service between the Twinbrook Metro Station and Silver Spring Metro Station.
- Route 26 provides Monday through Sunday service between the Glenmont Metro Station and the Montgomery Mall Transit Center.
- Route 81 provides Monday through Friday service between the Rockville Metro Station and the North Bethesda Metro Station.

Transportation Demand Management

As a project proposing a total square footage that is larger than 40,000 square feet within the North Bethesda Transportation Management District (TMD), a Red Policy Area as designated by the 2020-2024 Growth and Infrastructure Policy, the development is required to develop a Level 3 Results Transportation Demand Management (TDM) Plan with the Planning Board and MCDOT. The Applicant will also be required to participate

in the North Bethesda Transportation Management District (TMD). The 2010 *White Flint Sector Plan* identifies a 50% non-auto-driver mode share (NADMS) for employees.

ii. Proposed public transportation infrastructure

Pedestrian and bicycle improvements are proposed roadway frontages to be consistent with the 2010 *White Flint Sector Plan*, 2018 *Bicycle Master Plan*, and 2021 *Complete Streets Design Guide*. This includes constructing a 20-foot Breezeway that consists of an 8-foot bike path, a 4-foot pedestrian-bike buffer and an 8-foot sidepath on Old Georgetown Road. This will be buffered from the adjacent vehicular traffic with a 6-foot-wide street buffer.

On Banneker Avenue, the cross-section will largely remain the same as existing conditions. However, a mid-block crossing with bulb-outs will be added to connect to the proposed through-block connection that bisects the site. Additionally, the curb on the south side of the roadway will be expanded further to the west, removing some of the existing on-street parking. The existing curb-cut will be removed, and a new loading dock driveway access will be added further to the east. Per the MCDOT letter dated May 18, 2023 a bus stop is recommended to be installed on the corner of Old Georgetown Road and Banneker Avenue.

On Grand Park Avenue, the existing 10-foot wide sidepath and 6.5-foot-wide street buffer will be maintained. The on-street parking and shoulder area will be removed, and a 6.5-foot-wide separated bikeway and 5-foot-wide street buffer will be added.

iii. Proposed private transportation infrastructure

The Applicant proposal includes constructing a private driveway that runs east-west across the site, connecting Old Georgetown Road and Grand Park Avenue. The private driveway is designed as a two-lane roadway with 10-foot-wide travel lanes in each direction. At the center of the site where the road intersects with a proposed through block connection, it will function as a pedestrian focused street with a flush curb design and a plaza on each side. Through the topography of the site and the design of the road, the vehicular access will be at the same height as the pedestrian streetscape. In the areas of the roadway that are not flush, the 10-foot-wide travel lanes are buffered by a 5-foot-wide street buffer and a 5-foot-wide sidewalk on both sides. Just to the east of the intersection of the private driveway and the through-block connection there is a proposed layby zone that provides a 13-foot-wide area for pick-up and drop-off activity adjacent to Building A and Building B.

The parking garage for the site will be accessed off this private driveway as will one loading access driveway for Building C. The proposed development also includes a pedestrian through-block connection that connected Banneker Avenue to the north with Wall Local Park to the south.

b) Local Area Transportation Review (LATR)

Pursuant to the 2020-2024 Growth and Infrastructure Policy, the project is exempt from the LATR because of its location in the White Flint Special Taxing District. Any proposed development located in the White Flint Metro Station Policy Area is exempt from LATR if the development will be required to provide substantial funds to the Special Tax District created to finance master planned public improvements in the Policy Area. As a result, the transportation adequate facilities test is satisfied without further analysis.

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

Natural Resource Inventory/Forest Stand Delineation

A Natural Resource Inventory/Forest Stand Delineation for this site was approved by Planning staff on July 2, 2013 (NRI/FSD No. 420131890). The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The site contains no streams or their buffers, wetlands or their buffers, hydraulically adjacent steep slopes, 100-year floodplains, or known occurrences of rare, threatened or endangered species. There is no forest on the property. The site lies within the Cabin John watershed. Cabin John Creek is a Maryland State Use Class I-P stream and is not within a Special Protection Area.

Chapter 22A, Forest Conservation

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. A Preliminary Forest Conservation Plan (PFCP No. 120150010) was approved with the first Preliminary Plan on the site. A variance request for impacts to specimen trees was reviewed and approved with the PFCP. The PFCP was amended with Preliminary Plan amendment 12015001A. The amended PFCP included an increase in the net tract area and forest mitigation requirements. The current Application includes an amendment to the PFCP that reflects changes to the lot lines for the project. The Preliminary Plan amendment complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described in Site Plan Finding 1.e.ii below.

Forest Conservation Variance

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

The original PFCP approval included approval of a variance request to remove one 35-inch diameter tulip poplar tree (tree #2), and to disturb the Critical Root Zone of one pin oak tree

(12% CRZ impact approved for tree #7). The adjusted LOD does not result in any new impacts to specimen trees, so no new variance is required with this Amendment. The variance approval required that three native canopy trees of at least 3 inches caliper must be planted on site to replace the functions lost from removal of the 35-inch DBH tulip-poplar tree. The species and planting locations of these trees must be shown on the Certified FFCP.

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

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS water resources division on May 19, 2023. The Application will meet stormwater management goals through a variety of techniques including Micro bio-retention and a Structural Vault.

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

Not applicable to this Property.

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

No other provisions apply to the Subdivision.

SITE PLAN AMENDMENT 82015001B

Section 59.4.5.4.A.1 requires that Optional Method projects in the CR zone receive an approved Site Plan under Section 59.7.3.4 for any development on a property with an approved Sketch Plan.

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

The findings herein apply only to the Subject Property.

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

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

The prior development approvals for the Gables mixed-use project apply to the Property. However, the Subject Application proposes to supersede the prior development approvals to reflect the proposed cluster of research and development uses. The conditions contained in the Subject Application will fully supersede those of prior applications.

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

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

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

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

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

i. Division 4.5.4 CR Zone

Table 10: Evolution Labs Site Plan Data Table for CR Zone, Optional Method, Section 59.4.5.4

Development Standard	Permitted/ Required	Proposed
Site Area (Parcel A)	n/a	105,698 sf
Mapped Density	3.0 FAR	3.18 FAR
CR-3.0, C-1.5, R-2.5, H-70'	4.0 FAR	(achieved through density averaging)
CR-4.0, C-2.0, R-3.5, H-250'		
Commercial (GFA/FAR)		3.18 FAR
Total Mapped Density (GFA/FAR)		3.18 FAR
Total GFA/FAR		3.18 FAR
Building Height, max average	150 ft	150 ft (achieved through height averaging)
Public Open Space (min s.f.)	10,029 (10%)	12,000 (11.96%)
Parking	Spaces Required (minimum/maximum)	Spaces Provided
Vehicle Parking	236/709	692 ⁸
Loading Spaces	Spaces Required	Spaces Provided
	1	1
Bicycle Parking	Spaces Required (Long Term / Short Term)	Spaces Provided
	40/7	45/7

ii. Division 4.7 Optional Method Public Benefits

In accordance with the Zoning Ordinance, Section 59.4.7.1, the Site Plan proposes 121.55 Public Benefit points in 6 categories to satisfy the requirements of Optional Method development to provide at least 100 points in 6 categories. As described in Sketch Plan Finding 1.f above, the Site Plan satisfies all of the development standards for an optional method development in the CR Zone.

iii. Division 59-6 General Development Standards

(1) Division 6.1 Site Access

Pedestrian and bicycle access to and around the Subject Property will be enhanced by frontage improvements on Old Georgetown Road and Grand Park Avenue. The Applicant will construct a 20-

⁸ Includes 100 parking spaces being constructed for users of the Kennedy Shriver Aquatic Center, Wall Park, and Josiah Henson Museum.

foot Breezeway on Old Georgetown which includes a 6-foot-wide street buffer, 8-foot-wide bicycle path, 4-foot-wide buffer, and 8-foot-wide pedestrian path. The applicant will also construct a 6.5-foot-wide separated bike path and a 5-foot-wide buffer on Grand Park Avenue. Additionally, a through-block connection will be provided, connecting the private driveway with Wall Local Park located to the south of the site.

Vehicular access to the site will primarily occur via a private driveway that connects Old Georgetown Road and Grand Park Avenue. The parking garage and a layby area will be accessed using this private driveway. In addition, a loading dock access will be provided off Grand Park Avenue to serve Building A.

The Project's through-block connection and pocket park will significantly improve pedestrian circulation to the North Bethesda Metro Station and adjacent mix of commercial and residential uses.

The MCDOT letter dated May 18, 2023 recommends a bus stop be installed on Banneker Avenue at the corner of Banneker Avenue and Old Georgetown Road, which will improve transit access to the Site.

(2) Division 6.2 Parking, Queuing and Loading

The parking garage will be accessed off the private driveway and will provide 692 vehicle parking spaces in Phase 1. This includes 100 spaces for users of Wall Local Park, the Kennedy Shriver Aquatic Center, and Josiah Henson Museum to be leased by the County. The provision of these spaces will implement part of the Sector Plan vision for the Metro West District by allowing for the removal and repurposing of the surface parking area in Wall Local Park. The 592 vehicle parking spaces committed to the private users of Building A exceeds the minimum parking requirement of 236 spaces and is below the maximum allowable parking of 709 spaces. The use of a private internal driveway bisecting the Property east-west will minimize conflicts between pedestrians and vehicular movements along the Property's frontages. A total of 45 long-term bicycle parking spaces are provided in secure bicycle parking within the parking garage. This is above the 40 required for the development. As conditioned, the required 7 short-term bicycle spaces will be located near the main entrance of the building. Vehicle loading to Building A will occur off Grand Park Avenue.

Given the unique site characteristics and the unified site plan development, the long-term bicycle parking may be located entirely within the parking garage, waiving the requirement of Zoning Ordinance Section 59.6.2.6.B.1.C. for all future Site Plan Amendment applications pertaining to the realization of Phases 2 and 3. The location of building entrances in future phases may or may not be within 200 feet of the long-term bicycle parking location. However, having a centralized long-term bicycle parking within the centralized parking garage serves the entire site and more dispersed long-term bicycle parking would not necessarily make long-term bicycle parking more convenient. Therefore, waiving this requirement for future phases is reasonable. Furthermore, it is also possible that future phases may have building entrances within 200 feet of the long-term bicycle parking location, rendering this waiver unneeded.

Safe, adequate, and efficient loading to the site will occur via Grand Park Avenue on the southeastern corner of the site.

(3) Division 6.3 Open Space and Recreation

Since the Subject Property’s tract area is between 3.01 and 6.00 acres and the Property has three (3) right-of-way frontages, 10% of the site is required to be provided as public open space. At full buildout, the Subject Application proposes a minimum of 20,000 square feet (10.9%) of public open space, which exceeds the minimum requirement of 18,311 square feet (10%). Phase 1 of the Project, covered by the Subject Site Plan Amendment, will provide 12,000 square feet (11.96%), which exceeds the minimum requirement of 10,029 square feet (10%). The public open space meets the design standards in Division 6.3 of the Zoning Ordinance.

(4) Division 6.4 General Landscaping and Outdoor lighting

All landscaping and lighting included in the Project is designed to preserve and strengthen the character of the Metro West District and improve water and air quality as identified in Section 59.6.4.1. The public and private open space proposed as part of the Subject Site Plan Amendment includes the Phase 1 portion of the through-block connection and streetscape improvements. The open space areas will include landscaping, lighting and amenities that help to activate the Project and its relationship to Wall Local Park.

(5) Division 6.5 Screening

Division 6.5 of the Zoning Ordinance only applies to standard method development, and thus is not applicable to this optional method Project.

e) Satisfies the applicable requirements of:

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

DPS approved a Combined Stormwater Management Concept/ Site Development Stormwater Management Plan on May 19, 2023. The plan proposes to meet required stormwater management goals via the use of Micro-bioretenion and a Structural Vault. The Project is subject to the Maryland Stormwater Management Act of 2007 and Montgomery County Bill No. 40-10, which requires managing stormwater runoff by using Environmental Site Design” (ESD) to the “Maximum Extent Practicable” (MEP). ESD utilizes small-scale stormwater management practices, non-structural techniques, and better site planning to mimic natural hydrologic runoff characteristics and minimize the impact of development on water resources. The Project has been designed with these considerations in mind and will be reviewed by Montgomery County Department of Permitting Services for approval. Pursuant to Chapter 19 of the Montgomery County Code, the Applicant will provide sediment and erosion control and treatment for stormwater in accordance with applicable laws. It is anticipated the Property will implement micro-bioretenion structures to the maximum extent practicable, to meet the stormwater requirements. Beyond this, the Applicant will work with the County at each Phase through the Stage 3 process, to ensure ESD to MEP implementation.

ii. Chapter 22A, Forest Conservation.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. An amended Final Forest Conservation Plan has been submitted with this Application. The Site Plan complies with the Montgomery County

Environmental Guidelines and the Forest Conservation Law, as conditioned in this Staff Report and described below.

Forest Conservation Plan

The Applicant has submitted a Preliminary/Final Forest Conservation Plan (“FCP”) with the current development plan applications for Preliminary Plan Amendment 12015001B and Site Plan Amendment 82015001B. The Applications satisfy the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and are in compliance with the Montgomery County Planning Department’s approved Environmental Guidelines.

The Subject Property is zoned CR and is assigned a Land Use Category of Mixed-Use Development (“MDP”) as defined in Section 22A-3 of the Montgomery County Forest Conservation Law (“FCL”) and in the Land Use Table of the *Trees Technical Manual*. This results in an afforestation threshold of 15% and a conservation threshold of 20% of the net tract area.

The original Final Forest Conservation Plan (FFCP No. 820150010) included the gross tract area of 5.15 acres plus 0.79 acres of off-site disturbance in the total Limits of Disturbance (LOD). The Net Tract Area was 5.26 acres after an allowable deduction of 0.68 acres for dedication of a road right-of-way. The resulting reforestation/afforestation requirement was 0.79 acres. Site Plan Amendment 82015001A included a change to the LOD to accommodate stormwater management facilities, increasing the off-site disturbance by 0.29 acres. This resulted in a total off-site disturbance area of 1.08 acres and a new Net Tract Area of 5.55 acres. The change increased the total reforestation/afforestation requirement to 0.83 acres. The applicant has already obtained 1.58 acres of credit for forest preservation in an approved forest bank, fulfilling the original requirement of 0.79 acres of forest planting or 1.58 acres of preservation of existing forest. The remaining mitigation requirement of 0.04 acres was to be fulfilled by payment of a fee-in-lieu.

The current Application to amend the Preliminary and Site Plans reflect changes resulting from the County’s construction of the West Workaround which creates a new grid of streets surrounding the Property. The original Preliminary and Site Plans and subsequent amendments assumed that the Applicant would construct portions of these roadways, which increased the Net Tract Area of the Property. In addition, new lot lines have been established through the consolidation of the original lot with portions of other lots made available as new road alignments have framed the overall Property. The result has been a reduction in the overall Property area and the off-site disturbance, reducing the net tract area used for calculating Forest Conservation mitigation requirements.

The revised tract area for forest conservation purposes includes the 4.2-acre Subject Property plus 0.69 acres of offsite disturbance associated with this Application, for a total net tract area of 4.89 acres. This results in an afforestation requirement of 0.63 acres. The Applicant has already obtained off-site forest banking credits for preservation of existing forest in an approved forest bank, which is equivalent to the credit that would be given for planting 0.79 acres of forest. This exceeds the amended forest planting requirement of 0.63 acres. Therefore, no additional mitigation will be required and the previous requirement for purchasing an additional fee-in-lieu credit for 0.04 acres is eliminated.

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

The Project includes safe, well-integrated parking and circulation patterns through an on-site garage with public and private parking spaces which will be accessible through an internal private driveway. Access to the parking garage and loading bays serving the research and development uses have been carefully designed and coordinated to balance the need for upgraded pedestrian access to on-site public open space that will better connect the Subject Property to Wall Local Park and the North Bethesda Metro Station. The building massing of the three research and development buildings and structured parking garage are designed in a manner that creates a compatible transition from the single-family residential community to the west to the more urban mix of uses to the north and east.

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

As delineated in the Sketch Plan Finding 1.a above, the Subject Application complies with the Sector Plan's recommendations for the Subject Property and Metro West District.

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

As stated in Preliminary Plan Finding 3.a, the Project is exempt from Local Area Transportation Review as the Property is subject to the White Flint Special Taxing District.

Other public facilities and services are available and will be adequate to serve the Project. The Subject Application does not propose any residential uses, therefore evaluation of adequacy of public school facilities is not applicable to the Subject Application. The Subject Property is served by public water and sewer and is assigned WSSC categories W-1 and S-1. The existing water and sewer lines will be adequate to serve the additional development proposed by the Project. Dry utilities including electricity, gas, and telephone are also available to the Subject Property. In connection with the Project, utilities will be relocated underground, which will enhance safe and efficient circulation patterns at the Subject Property. Finally, appropriate emergency access measures will be implemented providing adequate facilities for fire and rescue personnel to serve the Project.

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

This requirement is not applicable, as the Subject Property is not located in a Rural Residential or Residential zone.

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

The Project is compatible with existing and approved or pending adjacent development as it will create a transition in building height and density from the single-family residential community to the west and the urban core to the east. The urban design of the Project incorporates significant public open space that is carefully designed to activate the adjacent right-of-way frontages, research and development buildings, and adjacent Wall Local Park. Redevelopment of the Subject Property with the Sector Plan-recommended configured parcels will better connect to the properties in and outside of the Metro West District to encourage pedestrian and bicycle movements in this transit-oriented location.

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

Not applicable, the Subject Application does not include a restaurant with a drive-thru.

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

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

SECTION 6: COMMUNITY OUTREACH

The Applicant held a pre-submittal public meeting on December 6, 2022. The meeting was conducted virtually and the Applicant complied with all submittal and noticing requirements.

As of date of this Staff Report, no correspondence has been received.

SECTION 7: CONCLUSION

Sketch Plan Amendment No. 32013001A, Preliminary Plan Amendment No. 12015001B and Site Plan Amendment No. 82015001B comply with the findings required for approval in the Subdivision Regulations and Zoning Ordinance. Staff recommends approval of Sketch Plan Amendment No. 32013001A, Preliminary Plan Amendment No. 12015001B and Site Plan Amendment No. 82015001B, with the superseding conditions included at the beginning of this report.

ATTACHMENTS

Attachment A: Sketch Plan

Attachment B: Preliminary Plan

Attachment C: Site Plan

Attachment D: Preliminary Forest Conservation Plan

Attachment E: Final Forest Conservation Plan

Attachment F: Agency Approvals



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

May 19, 2023

Mr. Jason Evans, PE
VIKA Maryland, LLC
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Revision to **COMBINED STORMWATER
MANAGEMENT CONCEPT/SITE
DEVELOPMENT STORMWATER
MANAGEMENT PLAN** for
Evolution Labs (formerly Gables White Flint)
Preliminary Plan #: 12015001B
Site Plan #: 82015001B
SM File #: 253613
Tract Size/Zone: 4.13 Ac/179,863 sf/CR-3.0,C-
1.5,R-2.5,H-70,&CR-4.0,C-2.0,R-3.5,H-250
Total Concept Area: 4.61 Ac/200,800 sf
Parcel(s): A, B
Watershed: Cabin John Creek/I
Type of Development: Redevelopment

Dear Mr. Evans:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The plan proposes to meet required stormwater management goals via the use of Micro-bioretenion and a Structural Vault.

This revision is to support the preliminary plan amendment for the total site and the Phase 1 Site Plan.

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. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. 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/Storm Water Management plans by the Montgomery County Department of Permitting Services, Water Resources Section.



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

Mr. Jason Evans, PE
May 19, 2023
Page 2 of 3

5. The detailed plan must utilize the latest DPS guidance.
6. Stormwater Management for improvements in the SHA right-of-way are not reviewed by DPS. However, any stormwater management required by SHA must be included on the final design plans submitted to DPS.
7. All underground facilities are required to comply with Water Resources Technical Policy No. 4 regarding access requirements.
8. A Phase 1 rough grading permit will not be issued for this development.
- 9. This letter supersedes the approval letter dated December 22, 2014.**

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 not 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 Sherry Mitchell at 240-777-5206 or sherryl.mitchell@montgomerycountymd.gov.

Sincerely,

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

cc: Neil Braunstein
SM File # 253613

Total
ESD: Required/Provided 22,565 cf / 19,689 cf
PE: Target/Achieved: 1.85"/1.61"
STRUCTURAL: 3,611 cf
WAIVED: 0 cf.

Phase 1 Site Plan
ESD: Required/Provided 11,833 cf / 11,937 cf
PE: Target/Achieved: 1.85"/1.86"
STRUCTURAL: N/A
WAIVED: 0 cf



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

DATE: 04-May-23
TO: Jason Evans
VIKA, Inc
FROM: Marie LaBaw
RE: Evolution Labs
82015001B 12015001B

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **01-May-23**. 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.

***** Exterior access to south wall of the parking garage to be secured via easement with Parks *****

***** Applicant shall resubmit fire lane for recordation after address assignment *****

Attachment F

RE: Evolution Labs / Wall Park Fire Access Easement Language Quesiton

Coppola, Henry <henry.coppola@montgomeryparks.org>

Thu 5/4/2023 12:56 PM

To: LaBaw, Marie <Marie.LaBaw@montgomerycountymd.gov>

[EXTERNAL EMAIL]

Hi Marie,

Been meaning to touch base with you on this to let you know that Parks is amenable to providing an agreement or covenant for the necessary 10' of free & clear area on parkland along the garage. We're still figuring out the details of the instrument and the language.

I'm sure at some point we'll have something for you to review (assuming that you want to). It would be good to get your input on the timing of having the instrument recorded / executed as well, we'll need to find a way to make sure that Parks has gotten all of the related improvements etc that are going to count in part as compensation for this prior to recording it.

Thanks!
henry

Montgomery Parks | M-NCPPC
C: 240-753-4496

From: LaBaw, Marie <Marie.LaBaw@montgomerycountymd.gov>
Sent: Thursday, March 2, 2023 9:02 AM
To: Coppola, Henry <henry.coppola@montgomeryparks.org>
Subject: Re: Evolution Labs / Wall Park Fire Access Easement Language Quesiton

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

Unfortunately I don't. My water supply easements go through Brian Jeeves. Maybe he could help?

brian.jeeves@montgomerycountymd.gov

From: Coppola, Henry <henry.coppola@montgomeryparks.org>
Sent: Thursday, March 2, 2023 8:56:29 AM
To: LaBaw, Marie <Marie.LaBaw@montgomerycountymd.gov>
Subject: Evolution Labs / Wall Park Fire Access Easement Language Quesiton

[EXTERNAL EMAIL]

Hi Marie,

We're looking at whether we can give the Applicant an easement on parkland for their buildings that will need it for your free and clear access clearance requirements – is there standard or draft / template language for that type of easement that you can send me?

Attachment F

Thanks!

h

Henry Coppola

Development Review Coordinator, Park Planning & Stewardship Division

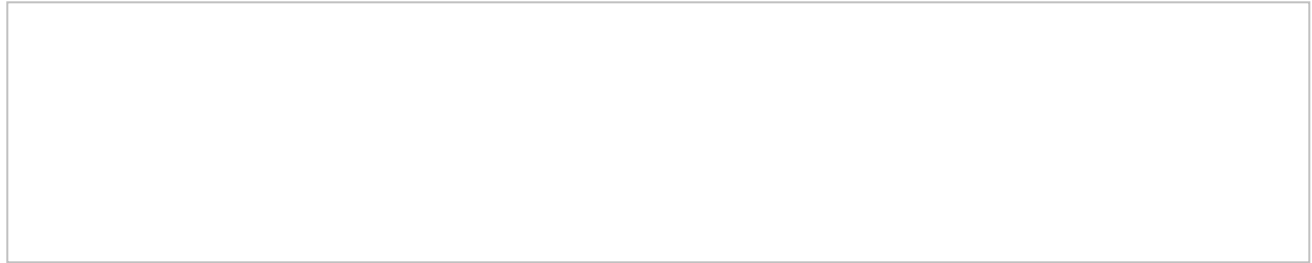
Montgomery Parks | The Maryland-National Capital Park and Planning Commission

Cell: 240.753.4496

2425 Reddie Drive | Wheaton, MD 20902

MontgomeryParks.org

@MontgomeryParks



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



MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

Isiah Leggett
County Executive

Scott E. Goldstein
Fire Chief

Date: March 30, 2023

Fire Lane Establishment Order

Pursuant to Section 22-33, Montgomery County Code, 1971, as amended, you are hereby notified that a Fire Lane has been established as described in this order. You are hereby ordered to post fire lane signs and paint curbs/pavement as identified below. When signs or paint work has been completed, this order will authorize the enforcement of this Fire Lane by appropriate police or fire officials. Compliance with this order must be achieved within 30 days of receipt when any of the following conditions are met:

- One or more structures addressed from the subject road are occupied;
- The road or accessway is available for use and at least one building permit for an address on the subject road has been issued; or
- The road or accessway is necessary fire department access.

LOCATION: Private driveway from Old Georgetown Road to
intersection on Grand Park Avenue

Delineate all areas where indicated by signs and/or paint.

SIGNS -- (See attached diagram for location of sign placement)



(Red letters on white background)

Signs must be posted so that it is not possible to park a vehicle without being in sight of a sign. Signs may be no further apart than 100 feet.

PAINT -- (See attached diagram when painting is required)

Paint must be traffic yellow with lines of Sufficient width to be readily identifiable/readable by motor vehicle operators.

Signature of Order Writer/I.D. #

Cc: Fire Code Enforcement Section
Attachment: Fire Lane Diagram

FIRE LANE ESTABLISHMENT FORM

BUILDING OR SUBDIVISION NAME: Evolution Labs North Bethesda

FIRE LANE LOCATION/ADDRESS: East side of Old Georgetown Road at intersection
with Banneker Avenue

See attached drawing for designated fire lanes:

I have received the drawing and instructions for installing the designated fire lanes on property not owned by state or local government.

NAME AND TITLE OF PROPERTY REPRESENTATIVE

NAME: Christopher Smith TITLE: Sr. Development Mgr., Stonebridge

SIGNATURE: Christopher Smith

PHONE: 301-913-9310 DATE: 2023-0420

ADDRESS (where processed order will be mailed):

smith@stonebridge.us.com 7373 Wisconsin Avenue, Suite 700 Bethesda, MD 20814

The designated fire lanes are the minimum necessary for fire/rescue access and are in accordance with Section 22-33 of the Fire Safety Code.

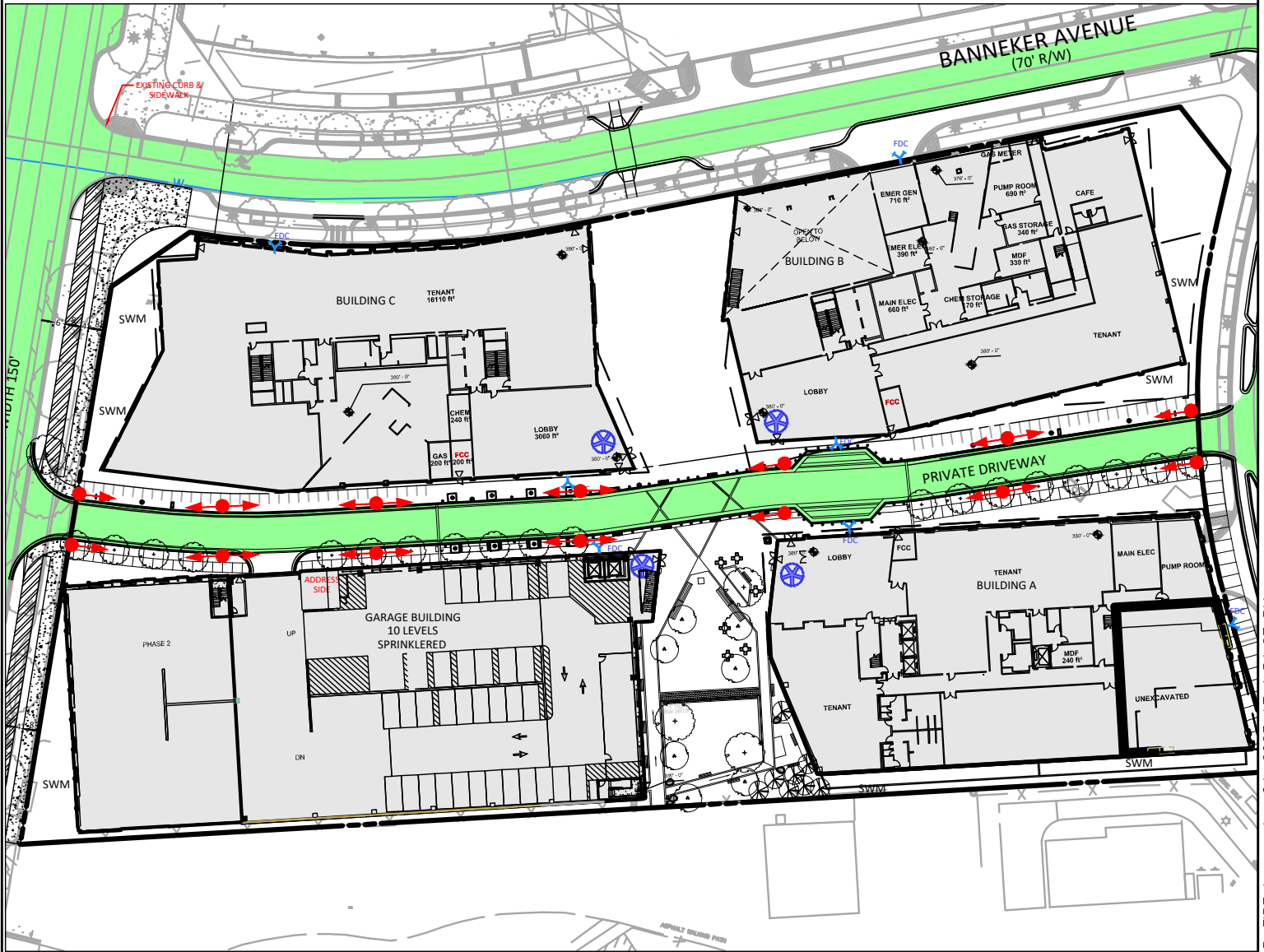
NAME: _____ SIGNATURE: _____

STA.#: _____ I.D.#: _____ DATE: _____

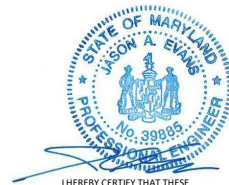
Comments: _____

Fire Lane Installed Per Order

NAME: _____ DATE: _____



ORDER FOR TRAFFIC CONTROL SIGNS
 Pursuant to Section 31-2 and 31-10, Montgomery County Code, 2004 as amended, you are hereby directed to install the following traffic and or parking control devices at the designated location(s).



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: JASON A. EVANS, P.E.
 LICENSE No.: 39885
 EXPIRATION DATE: JANUARY 16, 2025

LEGEND

- Fire Lane Sign/Direction
- Fire Access Path



VIKA MARYLAND, LLC ■
 ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■
 SURVEYORS ■ 3D LASER SCANNING ■
 20251 CENTURY BOULEVARD SUITE 400 ■
 GERMANTOWN, MD 20874 ■
 (301)916-4100 ■ FAX (301)916-2262 ■
 WWW.VIKA.COM ■

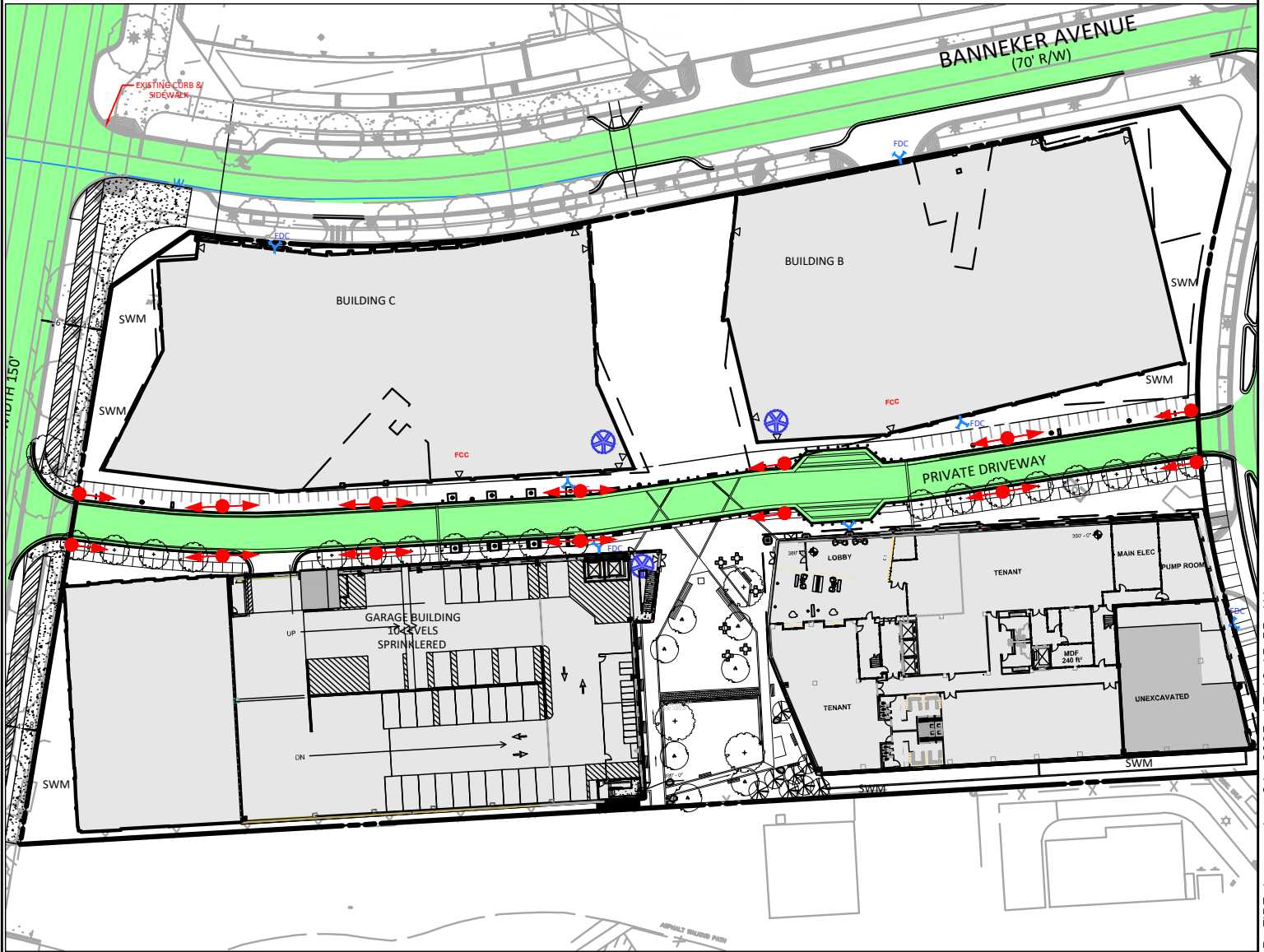
Evolution Labs North Bethesda
 1ST ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND
 WSSC GRID: 215NW06
 TAX MAP: GQ62

FIRE LANE ORDER	
DATE: MARCH 30, 2023	
DRAWN: NT	CHECKED: ID
----	1 OF 1



0 40' 80' 1160'
 SCALE: 1" = 80'

**PRIVATE DRIVEWAY
 EVOLUTION LABS NORTH BETHESDA
 FIRE LANE ORDER - NO PARKING SIGN LOCATIONS**



ORDER FOR TRAFFIC CONTROL SIGNS
 Pursuant to Section 31-2 and 31-10, Montgomery County Code, 2004 as amended, you are hereby directed to install the following traffic and or parking control devices at the designated location(s).



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: JASON A. EVANS, P.E.
 LICENSE NO.: 39885
 EXPIRATION DATE: JANUARY 16, 2025

LEGEND

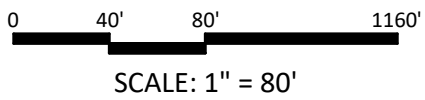
- Fire Lane Sign/Direction
- Fire Access Path



VIKA MARYLAND, LLC ■
 ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■
 SURVEYORS ■ 3D LASER SCANNING ■
 20251 CENTURY BOULEVARD SUITE 400 ■
 GERMANTOWN, MD 20874 ■
 (301)916-4100 ■ FAX (301)916-2262 ■
 WWW.VIKA.COM ■

Evolution Labs North Bethesda
 1ST ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND
 WSSC GRID: 215NW06
 TAX MAP: GQ62

FIRE LANE ORDER	
DATE: MARCH 30, 2023	
DRAWN: NT	CHECKED: ID
----	1 OF 1



**PRIVATE DRIVEWAY
 EVOLUTION LABS NORTH BETHESDA
 FIRE LANE ORDER - NO PARKING SIGN LOCATIONS**

z:\1000-9999\1614\CADD\PRELIMINARY\ PLOT SHEETS\1614100_P_FIRE.dwg, ~ Apr 04, 2023 AT 10:15:55 AM

April 19, 2023

Richard Brockmyer, AICP
Planner III
Montgomery County Planning Department
2425 Reddie Drive, 13th Floor, Wheaton, MD 20902

Dear Mr. Brockmyer:

Thank you for the opportunity to review the Sketch, Preliminary and Site Plan Applications (**32013001A**, **12015001B**, **82015001B**, respectively) for the **Evolution Labs North Bethesda Project**. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the plans and we are pleased to respond.

Based on preliminary review, an Access Permit will be required for the improvements in the State's right of way. MDOT SHA recommends approval of the Sketch, Preliminary and Site Plan Applications; however, reserves the right to provide additional comments as needed once detailed plans and supporting documents are 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.

Sincerely,



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

DG/kw

cc: Matthew Folden, Montgomery County Planning Department
Parker Smith, Montgomery County Planning Department

DPS-ROW CONDITIONS OF APPROVAL

April 6, 2023

82015001B Evolution Labs North Bethesda Phase 1

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-SITE-82015001B-003.pdf V2” uploaded on/ dated “4/4/2023” and

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

1. The details of cycle track design including median islands and any non-standard features (such as flexible delineator/ bollard) need to be reviewed and approved by MCDOT.
2. Access points on public roads need to:
 - a. be shown clearly/ designed per the associated County requirements and the proposed cycle track.
 - b. have the minimum curb radii that will accommodate the site traffic.
 - c. provide safe truck turn for all (especially right turn) movements.
3. Existing frontage public sidewalk:
 - a. Ensure it is ADA compliant and label accordingly.
 - b. 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.
 - c. ensure 1' of maintenance strip has been provided.
 - d. Show/ label green panel clearly.
 - e. 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.
 - f. Provide PIE if needed.
 - g. Ensure positive drainage toward ROW (specially at the proposed driveway).
 - h. Provide landing area and connection to the sidewalk at parking spots.
 - i. In order to the sidewalks/ shared use paths handicap ramps be distinguished from vehicular travel lanes appropriate signage is needed (R5-3).



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher Conklin
Director

May 18, 2023

Mr. Richard Brockmeyer, Planner III
Downcounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive
Wheaton, MD 20902

RE: Preliminary Plan No. 12015001B
Sketch Plan No. 32013001A
Evolution Labs – North Bethesda

Dear Mr. Brockmeyer:

We have completed our review of the amended preliminary and sketch plans uploaded to eplans on April 4, 2023. A previous version of this plan was reviewed by the Development Review Committee (DRC) at its meeting on February 28, 2023. We recommend approval of the plans subject to the following comments:

Significant Plan Review Comments

1. The subject property has frontage along Old Georgetown Road (MD 187), which is maintained by Maryland State Highway Administration (MSHA). Therefore, MCDOT does not have any jurisdiction other than the maintenance of the sidepath. Per Montgomery County Code Chapter 50, Section 4.2, MCDOT shall provide the following recommendations about the subject property for the attention of concerned agencies:
 - Per the White Flint Sector Plan, Old Georgetown Road (MD 187) is classified as a Major Highway with a 150-foot right-of-way. The full width was previously dedicated as part of Plat No. 25095.
 - Per the Bicycle Master Plan, Old Georgetown Road (MD 187) shall have a breezeway on the east side. We recommend that, prior to the record plat stage, the applicant construct a 20-foot wide, asphalt breezeway along the site frontage with a 6-foot wide, landscape buffer between the breezeway and the curb.
2. Prior to the record plat stage, the applicant shall construct a one-way separated bike lane along their Grand Park Avenue site frontage by repurposing the western-most travel lane to include a 6.5-foot and 5-foot wide, curbed median as shown on Sheet 07-PREL-12015001B-004.

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

Mr. Richard Brockmeyer
Preliminary Plan No. 12015001B
Sketch Plan No. 32013001A
May 18, 2023
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3. The sight distance study has been accepted. A copy of the Sight Distance Evaluation certifications form is included with this letter. Commercial driveways and aprons are not permitted to be wider than 24'; however, they may be up to 35' wide if there is a minimum 6' wide pedestrian refuge. The driveway on Banneker Avenue is not ideal. The County code requires a site to use the lowest classified street, which would be the private driveway/alley. The applicant has stated that this cannot be accomplished due to the grade change. At the time of site plan for this building, the final configuration of the driveway apron will be determined.
4. On the Certified Preliminary Plan, at the mid-block crossing on Banneker Avenue, extend the northern curb bump-out east to the existing entrance. Coordinate with Oscar Yen of MCDOT-DTEO at Oscar.Yen@montgomerycountymd.gov or 240-777-2190.
5. On the Certified Preliminary Plan, show handicap ramps at the southwest corner of the Banneker Avenue/Grand Park Avenue intersection. Details and alignment will be finalized at the permit stage. Coordinate with Oscar Yen of MCDOT-DTEO at Oscar.Yen@montgomerycountymd.gov or 240-777-2190.
6. 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:
This project requires a Level 3 Project-Based TDM Results Plan. The project meets the location (Orange Policy Area and the White Flint Transportation Management District) and size threshold requirement (more than 160,000 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;

Mr. Richard Brockmeyer
Preliminary Plan No. 12015001B
Sketch Plan No. 32013001A
May 18, 2023
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- viii. Conduct independent monitoring to determine if the project is meeting its goals until the project's goals are achieved.
7. There are no existing bus stops along the site frontages, but MCDOT recommends that the applicant install one at the corner of Old Georgetown & Banneker, approximately 10' from the intersection. We would require a minimum 5' wide level boarding area connecting from the curb to the sidewalk with another minimum 5' wide level area for the rear door of the buses. Grade should be no more than 2% from the sidewalk to the curb. Please coordinate with Mr. Wayne Miller of our Division of Transit Services to coordinate bus improvements. Mr. Miller may be contacted at 240 777-5836 or at Wayne.Miller2@montgomerycountymd.gov.

Standard Plan Review Comments

8. 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.
9. The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream County storm drain system for this plan.
10. Design all vehicular access points to be at-grade with 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. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
13. In all underground utility installations, install identification tape or other "toning" device approximately two feet above the utility.
14. If the proposed development will alter any existing streetlights, 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.
15. 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.
16. Posting of a ROW permit bond is a prerequisite to MCDPS approval of the record plat. The permit

Mr. Richard Brockmeyer
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will include, but not necessarily be limited to, the following improvements:

- a. Curb, gutter, storm drain, sidewalk, handicap ramps and street trees along Banneker Avenue and Grand Park Avenue.
- b. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
- c. 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 MCDPS.

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

Sincerely,

William Whelan

William Whelan
Development Review Team
Office of Transportation Policy

Mr. Richard Brockmeyer
Preliminary Plan No. 12015001B
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May 18, 2023
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[SharePoint/transportation/directors office/development review/WhelanW/12015001B Evolution Labs North Bethesda-MCDOT letter 051823.docx](#)

Enclosures (1)

Sight Distance Certifications

cc: Correspondence folder FY 2023

cc-e: Joshua Sloan	VIKA
Ian Duke	VIKA
Matt Gordon	SGRW Law
Chris Van Alstyne	MNCP&PC
Stephanie Dickel	MNCP&PC
Troy Leftwich	MNCP&PC
Mark Terry	MCDOT DTEO
Oscar Yen	MCDOT DTEO
Wayne Miller	MCDOT DTS
Sam Farhadi	MCDPS RWPR