

## PLD LOT 25 REDEVELOPMENT

### SKETCH PLAN NO. 3202400070



Redevelopment of a County-owned public parking lot to allow a new mixed use building of up to 230,000 square feet for up to 7,891 square feet of nonresidential uses and up to 222,109 square feet of multifamily residential uses with 20 percent MPDUs, and up to 110,061 square feet of Bethesda Overlay Zone Density. The redevelopment will provide 145 structured public parking spaces and dedication of 14,995 square feet for the Sector Planned Eastern Greenway public park.

Sketch Plan No. 320240070

Completed: 5-20-2024

MCPB

Item No. 7

5-30-2024

Montgomery County

Planning Board

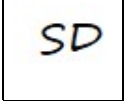
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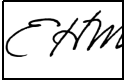
# Planning Staff



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## LOCATION/ADDRESS

Located approximately 130 ft east of Wisconsin Avenue on the block bounded by Maple Avenue, Tilbury Street, Highland Avenue, and a public alley

## MASTER PLAN

2017 *Bethesda Downtown Sector Plan*

## ZONE

CR-3.0, C-2.0, R-2.75, H-70, CRT-0.5, C-0.25, R- 0.5, H-70 and Bethesda Overlay Zone (BOZ)

## PROPERTY SIZE

1.88 acres

## APPLICANT

Monument Realty

## ACCEPTANCE DATE

March 6, 2024

## REVIEW BASIS

Chapter 59

## Summary:

- Staff is recommending approval of the Sketch Plan with conditions. The Project will require subsequent applications for Mandatory Referral, Preliminary Plan and Site Plan review.
- The Subject Property is County Parking Lot #25 which contains 129 public parking spaces. The Applicant has entered into a General Development Agreement with the County to redevelop this parking lot as well as another surface parking lot located south of the Site and not under consideration with this Sketch Plan.
- The Sketch Plan will deliver two major public facilities including: 145 public parking spaces within the future building and will dedicate and construct 14,995 square feet of land for the Sector Planned Eastern Greenway public park.
- Staff has received public comments regarding the Project, see Section 5 for further discussion.

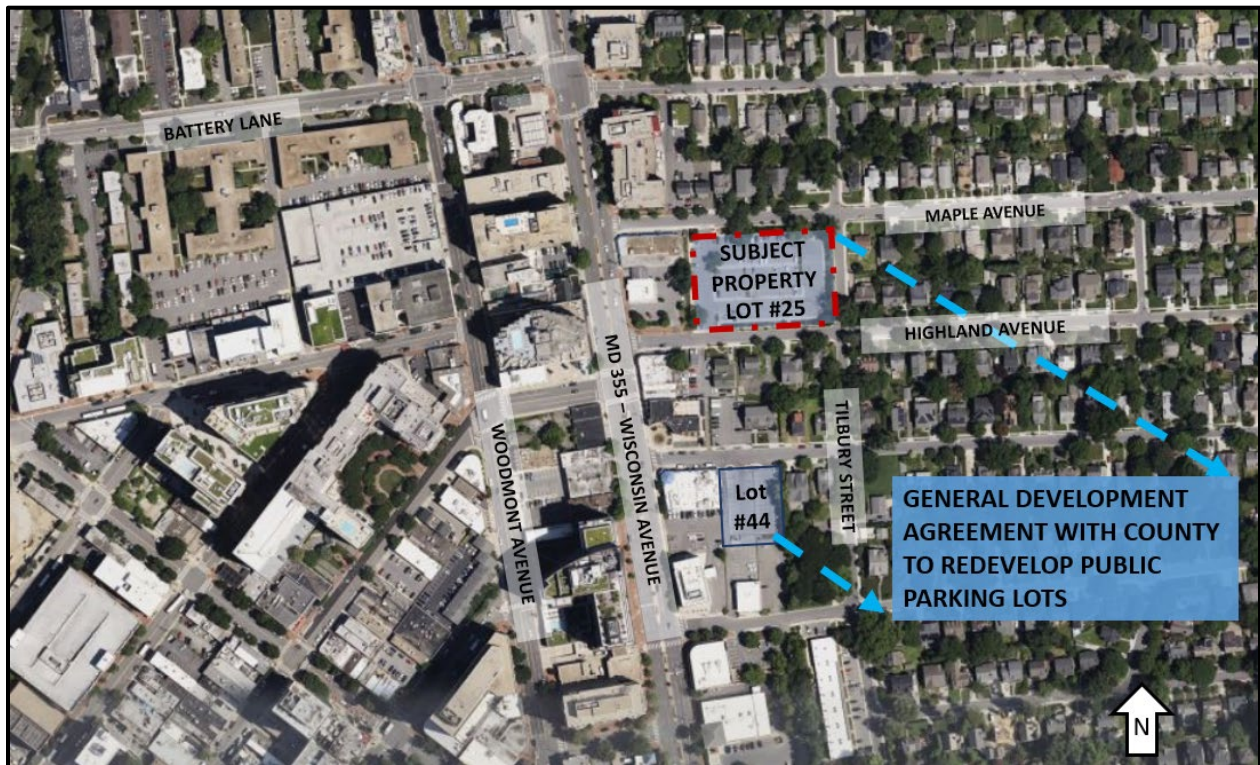
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## SECTION 1: EXECUTIVE SUMMARY

### GENERAL DEVELOPMENT AGREEMENT FOR COUNTY OWNED SURFACE LOTS

This Sketch Plan application is part of a larger effort to redevelop two County surface parking lots located in east Bethesda. The Applicant has entered into a General Development Agreement with the County to redevelop Parking Lot #25 and Lot #44. Each of the parking lots will be redeveloped by different developers, and this particular Sketch Plan Application will focus only on the redevelopment of Parking Lot #25. If the Planning Board approves the Sketch Plan, subsequent applications for Preliminary Plan and Site Plan review will be required to finalize further details. A Mandatory Referral application will be required at the time of Preliminary Plan for the disposition and change of use to redevelop County-owned land.



*Figure 1 – Vicinity Map showing locations of General Development Agreement for PLDs #25 and #44*

As part of the General Development Agreement with the County, the Project will replace public Parking Surface Lots 25 and 44 (which together contain a combined total of 183 existing parking spaces) with 145 parking spaces available to the general public within the new structured parking garage, deliver a higher level of affordability by increasing the number of MPDUs required (from 15% to 20%) and will be targeting deeper levels of affordability within those units. Additionally, the Project will dedicate and construct a portion (14,995 square feet) of the Sector Planned Eastern Greenway as a public park.

Given that the Project will be delivering two major public facilities, public parking within the building and a public park, the Applicant is requesting the Planning Board approve additional height above the mapped height of 70 feet, for a maximum height of 83 feet. Both major public facilities have limited the Applicant’s ability to fully develop the Site, as the dedication for the future Eastern Greenway public park limits the Applicant’s ability to construct structured parking under the dedication area. The Zoning Ordinance provides “with Planning Board approval, any Optional Method project in a CR zone that includes the provision of a major public facility ... may add the height of any floor mostly used for above grade parking to the maximum height otherwise allowed, when the major public facility diminishes the ability of the Applicant to provide parking at or below grade.” The Applicant has provided exhibits detailing the public parking within the building that would add one floor, approximately 12 feet 4 inches above the maximum building height of 70 feet.

### SECTOR PLANNED EASTERN GREENWAY PUBLIC PARK

As envisioned by the 2017 *Bethesda Downtown Sector Plan* and described further in the Montgomery Parks Eastern Greenway Framework Concept (Attachment F), the North Section of the Eastern Greenway will function as a single high-quality linear park stretching from Maple Avenue to Cheltenham Drive with spaces for recreation, social connection, and environmental sustainability. It will function as a continuous park connecting several existing public parks, newly dedicated parks through redevelopment, and privately owned open spaces through redevelopment. With the General Development Agreement, public parks will be delivered with the Lot #25 and Lot #44 redevelopment. The block between these County parking lots has been approved for redevelopment through a project called 8001 Wisconsin Avenue. That redevelopment will deliver privately owned public open space for the Eastern Greenway and received Sketch Plan and Preliminary Plan approval from the Planning Board in early 2023 (Sketch Plan No. 320210050 and Preliminary Plan No. 120210140).



Figure 2 - Northern Segment of Eastern Greenway, Page 137 of Bethesda Downtown Sector Plan

## Park Impact Payment Reduction Methodology

Given that the Applicant will be dedicating parkland, a Park Impact Payment that is typically required for Projects utilizing Bethesda Overlay Zone Density, such as this one, is eligible for a Park Impact Payment reduction pursuant to the 2017 *Bethesda Downtown Sector Plan*. This is the first Project within the Sector Plan that proposes dedicating parkland within the proposed development. Therefore, this staff report outlines the methodology for the Park Impact Payment reduction. Further discussion on this is included in Section 4.

## COMMUNITY CONCERN

As further discussed in Section 5, Staff has received community concerns regarding the development. Most of the comments relate to the Project limiting access points to only Maple Avenue, which is directly across the street from many of the residents and the concerns relate to traffic impacts, pedestrian safety, and decreased land value.

## SECTION 2: RECOMMENDATIONS AND CONDITIONS

### SKETCH PLAN 320240070

Staff recommends approval of PLD Lot 25 Redevelopment, Sketch Plan No. 320240070, for up to 230,000 square feet of density on 1.88 acres, zoned CR-3.0, C-2.0, R-2.75, H-70, CRT-0.5, C-0.25, R- 0.5, H-70 and Bethesda Overlay Zone (BOZ), in the 2017 *Bethesda Downtown Sector Plan* area. The following site development elements shown on the latest electronic version of Sketch Plan No. 320240070, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the conditions below.

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:

**1. Density**

The Sketch Plan is limited to a maximum of 230,000 square feet of mixed-use development for up to 7,891 square feet of nonresidential uses and up to 222,109 square feet of multifamily residential uses with a minimum 20 percent MPDUs, and up to 110,061 square feet of Bethesda Overlay Zone density.

**2. Height**

The development is eligible for an increase in height from the mapped maximum of 70 feet for the provision of Major Public Facilities to a maximum height of 83 feet, as measured from the building height measuring point to be illustrated on the Certified Site Plan. At the time of Site Plan, the increase in building height will be finalized per the provisions of Section 59-4.5.2.A.2.e based on the final details of Major Public Facilities including public parking and dedication of public parkland for the Eastern Greenway.

**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. The requirements of Division 59-4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a) Major Public Facilities, achieved by dedicating and constructing a portion of the Eastern Greenway as a public park;

- b) Diversity of Uses & Activities, achieved through providing affordable housing in excess of the requirements;
- c) Quality of Building and Site Design, achieved through exceptional design.

**4. Eastern Greenway Dedication**

- a) The Applicant must dedicate, design, and construct a minimum of 14,995 square feet for the Eastern Greenway as public parkland on the eastern portion of the subject Site along Tilbury Street. The final size, design, construction phasing, and operational issues will be addressed at Site Plan. The design must address the following:
  - i) Consistency with the Montgomery Parks Eastern Greenway Framework Concept, the 2017 *Bethesda Downtown Sector Plan*, Bethesda Downtown Plan Design Guidelines, and the 2019 Designing Public Spaces: Energized Public Spaces Design Guidelines; and
  - ii) Recreational amenities must be included that meet Montgomery Parks' standards such as, but not limited to, an improved hard surface promenade trail, plantings, signage, seating, and other suitable active and passive amenities.

**5. Park Impact Payment**

The Project will utilize up to 110,061 square feet of Bethesda Overlay Zone density, which is subject to a Park Impact Payment. The Project may receive a Park Impact Payment Reduction as specified in Section 59.4.9.2.C.2.b.ii.B of the Zoning Ordinance for the proposed Eastern Greenway Public Park dedication, final credit to be determined at the time of Site Plan.

**6. Green Cover**

At the time of Site Plan, the Applicant must provide a minimum 35% of Site Area as green cover as described in Section 2.4.1 of the *Bethesda Downtown Sector Plan* and any proposed tree canopy must utilize tree species and canopy sizes at 20-year maturity per the *M-NCPPC Approved Trees Technical Manual*.

**7. Bethesda Downtown Plan Design Guidelines**

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

- a) Comments have been addressed from the Design Advisory Panel as specified in their January 24, 2024 meeting minutes; and
- b) Project conformance for street typology, parks and open space, site design, building form, creative placemaking, and any site-specific guidelines in accordance with the *Bethesda Downtown Plan Design Guidelines*.

**8. DHCA**

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA"), in its letter dated May 14, 2024 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Sketch Plan approval.



## 9. **MCDOT**

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated May 14, 2024 and incorporates them as conditions of the Sketch Plan approval. 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 Sketch Plan approval.

## 10. **Future Coordination for the Preliminary Plan and Site Plan**

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed in the Preliminary and/or Site Plan applications as appropriate:

- a) Submit a Mandatory Referral at the time of the Preliminary Plan application submission.
- b) Submit and receive approval of a Preliminary/Final Forest Conservation Plan.
- c) Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features.
- d) Provide a noise analysis for interior residential units per the 1983 Noise Guidelines. The noise analysis needs to address all applicable noise sources/roadways and be based on onsite field recordings, made during representative time periods. The analysis must show the existing and 20-year projected noise contours and/or provide 3-D modeling as appropriate (the 3-D modeling would need to reflect the existing and 20-year projected noise levels).
- e) Submit a request to abandon the east-west running paper street alley, as recorded on Plat 186, in accordance with Section 49-68 of the County Code.
- f) Address truncation at the Site’s northeast and southeast corners.
- g) Finalize the design of the short-term vehicular parking spaces shown on Highland Avenue.
- h) Obtain SWM concept approval consistent with Chapter 19 of the Montgomery County Code which also addresses the recommendations of the Bethesda Downtown Sector Plan Water Quality Section (2.4.2.B).
- i) Address Bird-Safe Design per the Bethesda Downtown Sector Plan Design Guidelines.
- j) Provide materials and details for both garage doors located on Maple Avenue.

## 11. **Validity**

A site plan must be submitted within 36 months after the date the resolution is sent per Section 59-7.3.3.G.

## SECTION 3: SITE DESCRIPTION

### VICINITY

The Project is located in the northern portion of downtown Bethesda east of Wisconsin Avenue. The west side of Wisconsin Avenue is developed with taller residential buildings ranging in height from 100 to 300 feet in height as well as 1-2 story commercial buildings. The east side of Wisconsin Avenue is developed with significantly lower commercial buildings. Blocks east of Wisconsin Avenue are transitional with a mix of low-rise commercial buildings with surface parking, County owned surface parking lots, and single-family detached homes. East of Tilbury Street, the development is limited to single family homes, known as the East Bethesda Neighborhood.

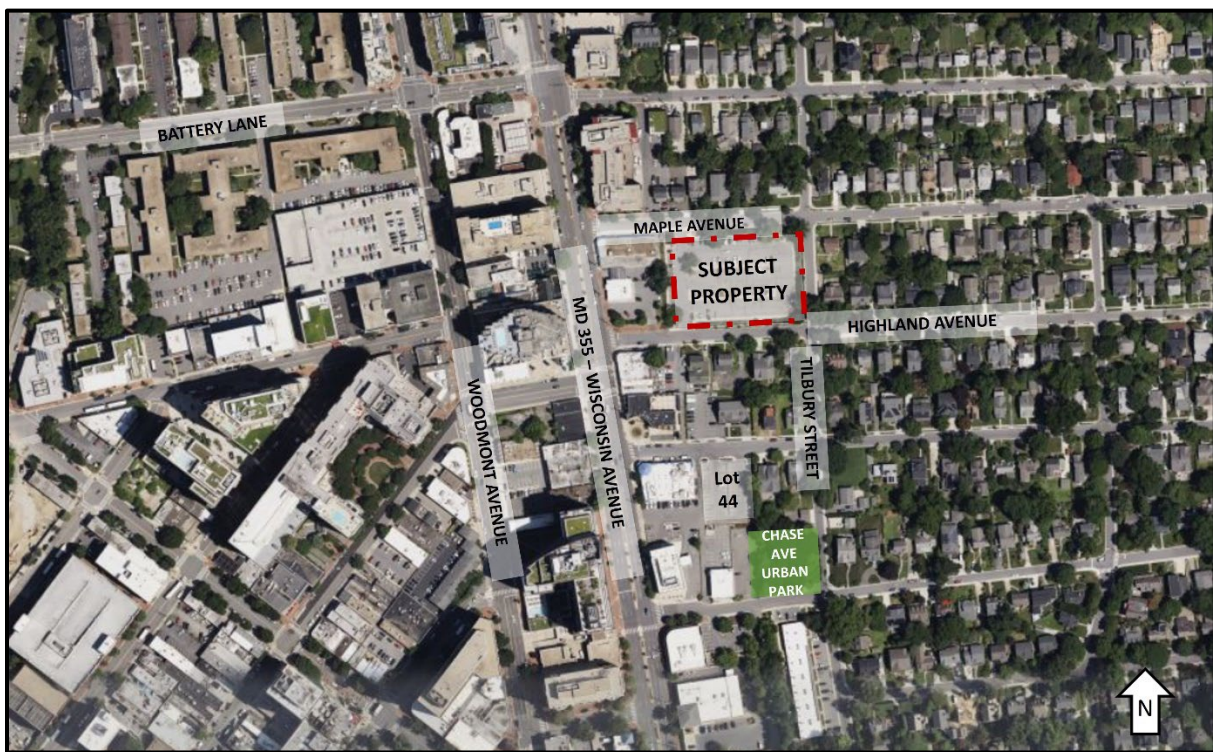


Figure 3 - Vicinity Map

### PROPERTY DESCRIPTION

The Property is located within the block directly east of Wisconsin Avenue. The Property spans the entire block from Maple Avenue to the north, Tilbury Street to the east, Highland to the south, and an unimproved public alley to the west. The Property is currently developed as County Parking Lot District (PLD) #25 which contains 129 spaces with one access point on Highland Avenue and one access point on Maple Avenue. The Subject Property is comprised of Lots 7-26 of Block 1 on Plat No. 186, "West Chevy Chase Heights" recorded in Montgomery County Land Records, totaling 82,063

square feet. A second unimproved public alley exists on the site that is 10 feet in width and extends from Tilbury Street west to the unimproved north south alley, as shown in the Figure below.

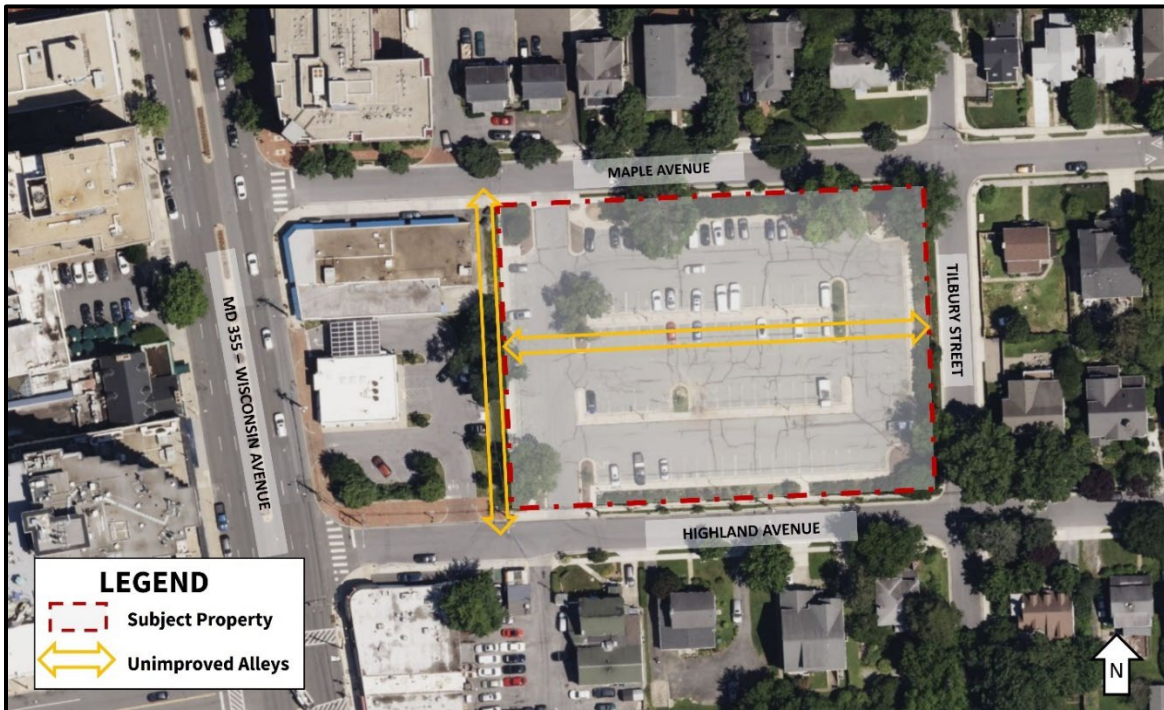


Figure 4 – Subject Property showing existing unimproved public alleys

The Property is located within the Rock Creek watershed which is a Use I<sup>1</sup> watershed. The Site, which is within Downtown Bethesda, which is currently developed with a surface parking lot, is relatively flat with a gentle grade sloping downward to the east. The Site is not associated with any areas of forest, or 100-year flood plains, streams, or stream buffers, or areas of steep slopes. Soils associated with the Property are classified generally as urban land and are not considered highly erodible or otherwise sensitive.

Several mature street trees are located around the perimeter of the Property including two specimen Oak trees, sized 30 inches or greater in diameter-at-breast-height (DBH), located along Maple Avenue. A mature 27-inch Pin Oak is located at the corner of Maple Avenue and Tilbury Street while three additional specimen-sized Maple trees are located just offsite to the southwest, across Highland Avenue and Tilbury Street. There are no known rare, threatened, or endangered species on site. There are no known historic properties on or near the site.

<sup>1</sup> Use I-P:

WATER CONTACT RECREATION & PROTECTION OF AQUATIC LIFE

Waters that are suitable for: water contact sports; play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply, and industrial water supply.

## SECTION 4: PROJECT DESCRIPTION

### PROPOSAL

The Applicant proposes to redevelop the Property with a new mixed-use building with a maximum height of 83 feet and a maximum density of 230,000 square feet. The building will allow for up to 235 units, with 20% of the total units being MPDUs, and a portion of the commercial uses (up to 7,891 square feet) to be live-work units. The Project proposes to utilize up to 110,061 square feet of Bethesda Overlay Zone density. The building will include structured parking for up to 248 spaces, for which 145 spaces will be dedicated public parking as a replacement for PLD Lot #25 and Lot #44 to the south. The Project proposes to dedicate 14,995 square feet on the east side of the Site as parkland for the Sector Planned Eastern Greenway.



Figure 5 – Sketch Plan No.320240070 Rendering

### MASSING/ARCHITECTURE

The proposed massing focuses the lobby entrance on Highland Avenue at the southeast corner to have a strong presence on the Eastern Greenway and the amenities of downtown Bethesda to the south. Along Highland Avenue the massing varies in bays with setbacks as well as recessed balconies. The massing proposes an internal courtyard that will visually connect to the Eastern Greenway along the eastern façade via a two-story interior amenity space.



Figure 6 – Perspective of massing from Highland Avenue at Tilbury street looking northwest



Figure 7 – Perspective of massing from Maple Avenue at Tilbury Street looking southwest

The massing steps down from the maximum building height of 83 feet to 35 feet towards the single-family homes to the north of Maple Avenue, per the requirements of the Zoning Ordinance for residential compatibility. The Maple Avenue façade features a step-down and low scale elements to address the neighborhood scale change to predominantly single-family homes, and incorporates bays and inset balconies above the entrances for the garage and loading/trash.

The Design Advisory Panel (DAP) unanimously voted the Project is on track to meet the minimum design excellence points at their January 24, 2024 (Attachment C) meeting with refinements to be reviewed at Site Plan including: simplification of the elevations, relationship of the building entrance to the Eastern Greenway, activation of the building frontage along Highland Avenue, and reduction of on street parking to enhance the pedestrian experience along Highland Avenue.

## BUILDING HEIGHT

### Major Public Facilities

The Applicant is requesting the Planning Board approve additional height on the Project site based on the provision of Major Public Facilities, including replacement of surface parking within a structured garage within the building and the dedication of land for the Eastern Greenway Public Park. Per Section 59.4.5.2.A.2.e of the Zoning Ordinance, *“with Planning Board approval, any Optional Method project in a CR zone that includes the provision of a major public facility ... may add the height of any floor mostly used for above grade parking to the maximum height otherwise allowed, when the major public facility diminishes the ability of the Applicant to provide parking at or below grade.”*

By delivering both facilities, the Applicant is limited in providing parking under the land to be dedicated for the public park given issues with fully dedicating the land, thereby requiring the parking to be fully contained within the building footprint. The Applicant has provided an exhibit, Figure 8 below, demonstrating how the public parking provided within the building meets the criteria contained in the Zoning Ordinance, and the additional height associated with this parking is approximately 12 feet, 4 inches. Therefore, the Applicant is requesting additional height beyond the 70-foot mapped height for this parking. Given that the public parking is required to meet several criteria set forth by the Department of Transportation, Staff is recommending a maximum building height of 83 feet, to be finalized at the time of Site Plan.

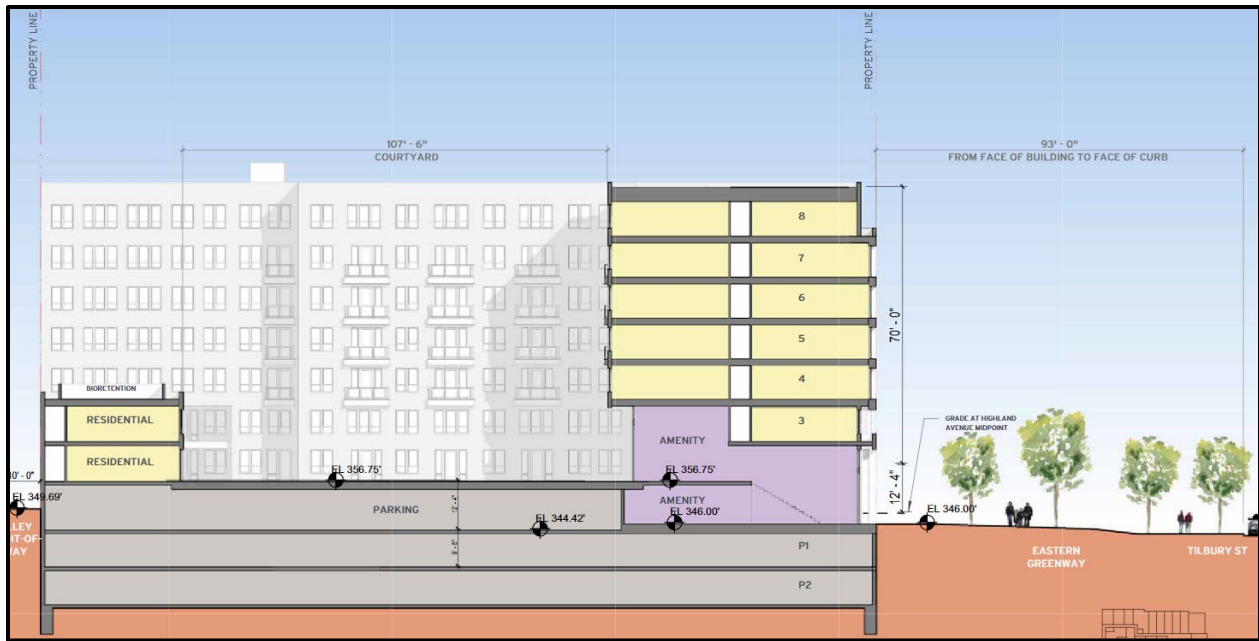


Figure 8 – Section looking north towards Maple Avenue showing additional height from parking garage floor

Figure 6 above shows that the Eastern Greenway dedication area will be approximately 93 feet in width from the proposed building façade. The *Bethesda Downtown Design Guidelines* states that any building height proposed adjacent to the Eastern Greenway should be proportional to the Eastern Greenway width. With the additional height proposed with the parking, the maximum building height of 83 feet will still be proportional to the Eastern Greenway width of 93 feet.

## EASTERN GREENWAY

As envisioned, the North Section of the Eastern Greenway will function as a single high-quality linear park stretching from Maple Avenue to Cheltenham Drive with spaces for recreation, social connection, and environmental sustainability. It will function as a continuous park connecting several larger neighborhood greens and will have a cohesive design to ensure the experience of a single park. A wide promenade will physically connect the corridor while unique, enticing features and activity spaces will serve to draw the public into the park and ensure that it serves as more than just a buffer.

Montgomery Parks Staff created the Eastern Greenway Framework Concept (included as Attachment F) and the Applicant has and will continue to work with Parks Staff to ensure the design will fit into the overall framework created for the Eastern Greenway. As shown in Figure 9, the Applicant conceptually proposes a central multi-use green lawn with the main pathway closer to Tilbury Street and a smaller trail closer to the building. This is the second Project to contribute to the Eastern Greenway, as 8001 Wisconsin Avenue (located directly to the south of this Project) has received Planning Board approval for Sketch and Preliminary Plan and will provide a privately owned publicly accessible portion of the Eastern Greenway of similar size to this block of development.

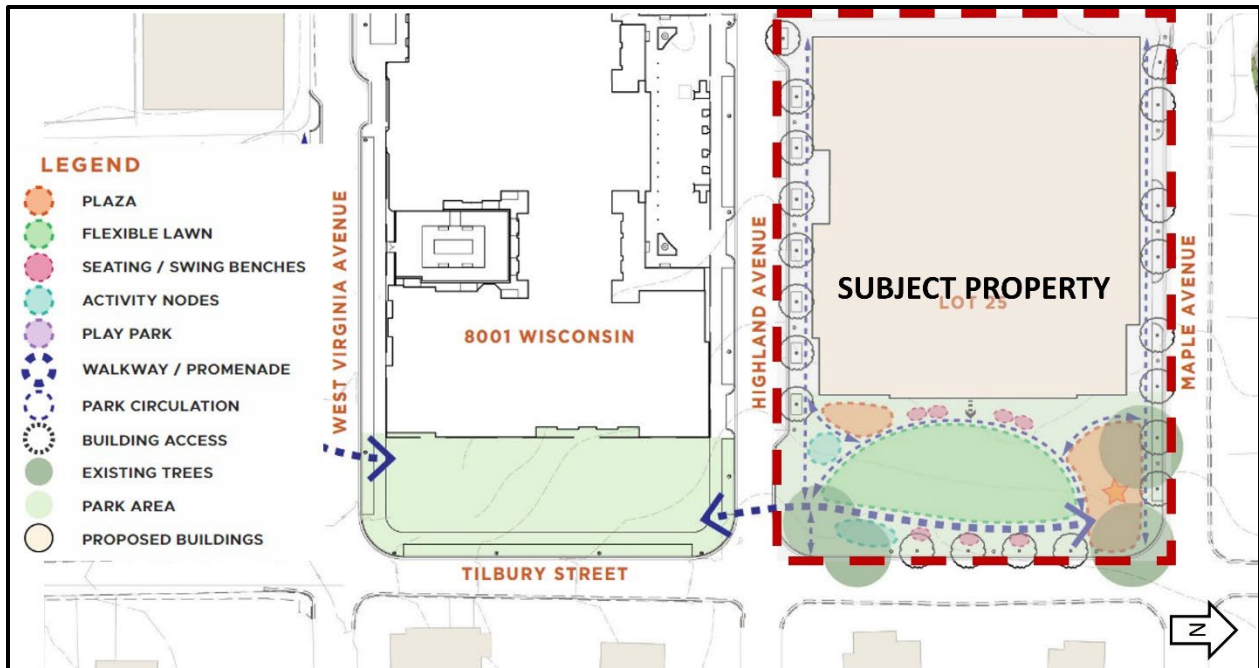


Figure 9 – Proposed Eastern Greenway dedication to be tied into 8001 Wisconsin Avenue privately owned public open space

### Park Impact Payment Credit Methodology

Section 59.4.9.2.C.2.ii of the Zoning Ordinance states:

*If a property owner dedicates land designated in the master plan as a recommended open space to the M-NCPPC Parks Department, the Planning Board may reduce the amount of square footage for which a Park Impact Payment must be made.*

Neither the Zoning Ordinance nor the Sector Plan provide specific guidance as to how to implement such a PIP reduction in the development review process, therefore through the review of this Project a methodology is provided.

*The percent reduction shall be the ratio of the adjusted land value of the dedicated land to the required PIP. Any dedicated land counted toward required Public Open Space, and/or the PIP value of any density taken off the dedicated land must be deducted from the adjusted land value. Adjusted Land Value is based on the most recent sale price or total valuation<sup>2</sup>, whichever is greater, as documented in Maryland State Department of Assessments and Taxation (SDAT).*

$$\text{Adjusted Land Value} / \text{Park Impact Payment} = \text{PIP Credit (\%)}$$

<sup>2</sup> Total valuation of the fair market value may be considered from a third party appraisal



## PIP credit formula applied to the Lot 25 Redevelopment Project

As broken down in the formulas below, when the methodology is applied to this Project it would result in no Park Impact Payment, meaning the value of the dedicated land is greater than the payment that would have been required for the utilization of Bethesda Overlay Zone density.

To determine the Adjusted Land Value, the most recent sale value or fair market value must be reduced by the value of any required open space and density taken off the land. Through the reuse of County Parking Lot 25, MCDOT requested a third-party appraisal (summarized in Attachment G) for the land that determined the value of the entire Property to be \$8 million dollars, with only a portion of this land to be dedicated.

**Adjusted Land Value (\$1,616,269)** = value of dedicated land (\$2,475,200) - value of required public open space (\$742,987) and value of density from land (\$115,945)

The Park Impact Payment is determined by reducing the BOZ density by the total square footage of MPDUs as allowed by the Zoning Ordinance<sup>3</sup>, then multiplying that by the current PIP rate.

**Park Impact Payment** = Bethesda Overlay Zone density \* PIP rate

**Park Impact Payment (\$951,563)** = [110,061 square feet (BOZ density) – 33,875 square feet (MPDU density)]<sup>4</sup> \* 12.49 (current PIP Rate)

**\$1,616,269 (Adjusted Land Value) / \$951,563 (PIP Payment) = 170% (PIP Credit)**

When the Adjusted Land Value is divided by the Park Impact Payment the PIP credit equals 170%. Therefore, in this case the value of the future land dedication will exceed the estimated PIP and no payment would be required for this project. The estimates provided within this section will be finalized at the time of Site Plan review, based on final requested BOZ density and PIP rate applicable at that time.

While this estimation was based on the fair market value, Staff also evaluated the potential PIP reduction utilizing SDAT sale value as a conservative figure. In both cases, the value of the land to be dedicated outweighs the Park Impact Payment that would be received.

## TRANSPORTATION

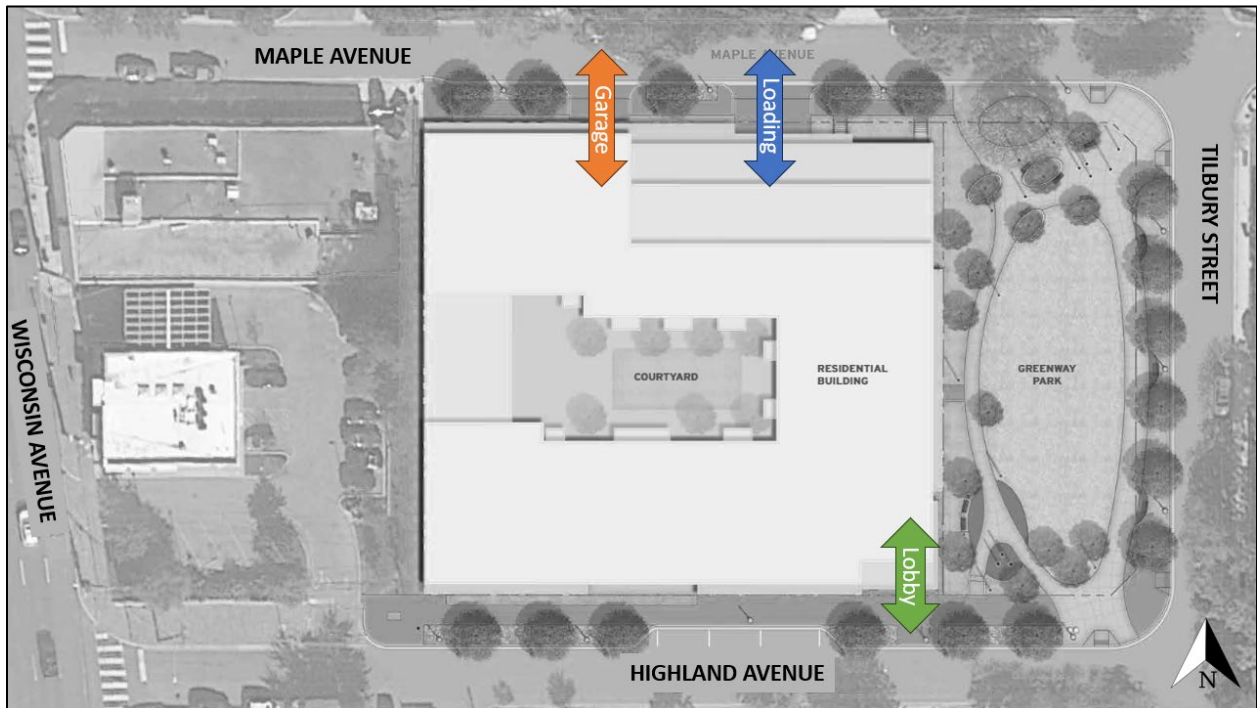
The Site has frontage on Maple Avenue (north), Tilbury Street (east), and Highland Avenue (south). An existing bank and low-density retail abut the Property to the west. The onsite loading facility and structured parking will be accessed from Maple Avenue. The existing curb cut on Highland Avenue will be eliminated. Maple Avenue was chosen for vehicular access as Highland Avenue and Tilbury Street

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<sup>3</sup> Per Section 59.4.9.2.3.c.i, a Park Impact Payment is not required for gross floor area allocated to MPDUs.

<sup>4</sup> Per Section 59.4.9.2.3.c.ii, projects located outside of the Height Incentive Area may reduce square footage associated with MPDUs above 15% from their Park Impact Payment

are expected to have higher rates of pedestrian activity, given the proximity of the new Eastern Greenway, the Metro Station and the heart of downtown Bethesda. The main entrance to the lobby is also located on Highland Avenue, further emphasizing the need to reduce vehicular conflicts with the sidewalks. The final design of the full-movement driveways will be determined at the time of Preliminary Plan and Site Plan, when MCDOT evaluates the site distance for the proposed curb cuts. The design of the garage and onsite loading facility will be reviewed at the time of Site Plan when architectural drawings are submitted.



*Figure 10 - Circulation Exhibit*

The Applicant proposes abandonment of the existing east-west alley that was previously dedicated and recorded on Plat 186 in 1916. The paper alley is 10-foot-wide but was never constructed. The entire Site has been a public surface parking lot for decades and curb cuts on either end were never constructed. Therefore, pursuant to Section 49-68 of the County Code, the Sketch Plan has been conditioned to request the Board for abandonment of the public right-of-way as part of the Preliminary Plan application so the proposed building and park can be realized.

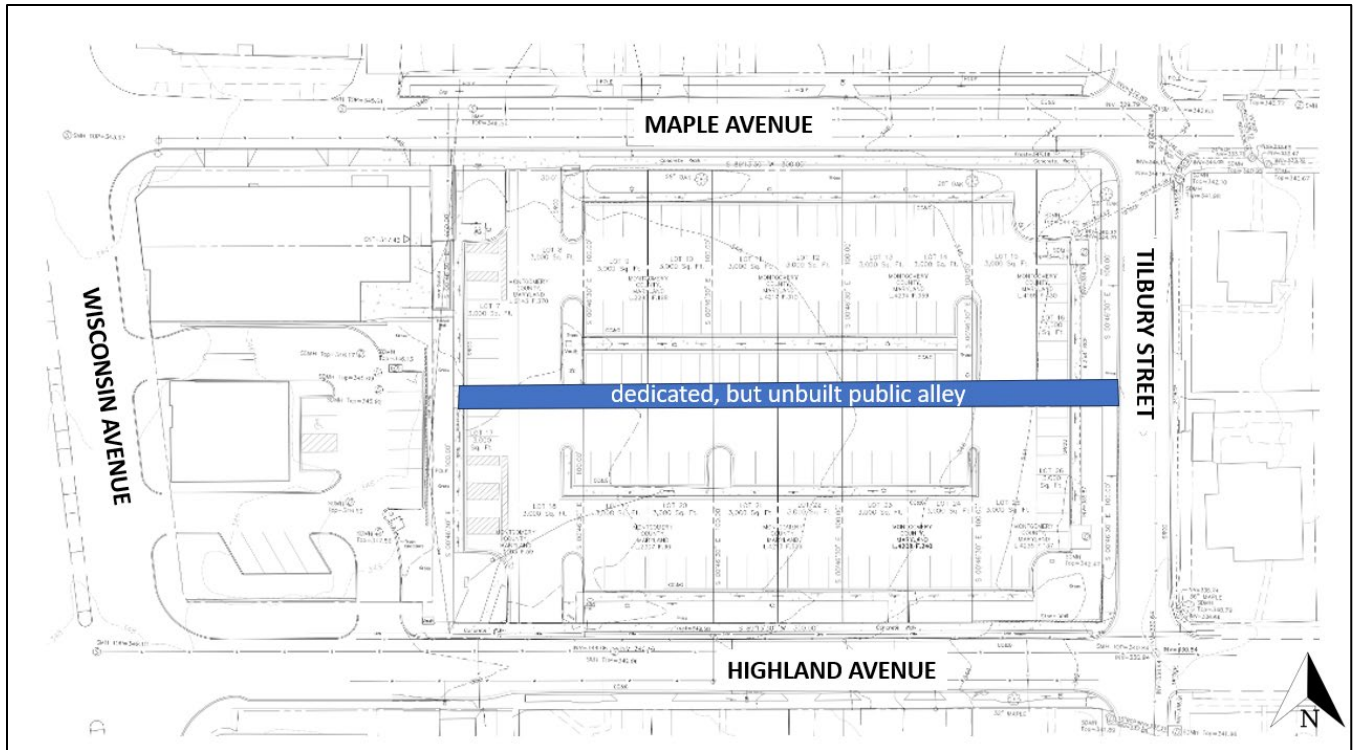


Figure 11 - Dedicated but unbuilt alley (highlighted in blue)

The Project is proposing a total of 248 spaces onsite: 145 to be available to the public and 103 for the 235 units. This is a net increase of 16 vehicular parking spaces on the Site, however, this parking structure will replace the public parking spaces provided at the existing PLD 25 Lot as well as PLD Lot 44 (one block south of the Site), which currently has 54 parking spaces<sup>5</sup>. As proposed, this will result in a net decrease of 38 public parking spaces, however both surface lots are underutilized. The Applicant has worked closely with the Montgomery County Department of Transportation Division of Parking Management to determine the appropriate number of spaces for the Subject Site and PLD Lot 44 while balancing the benefits of increasing the number of housing units (especially affordable) and the two new public parks that will further realize the master planned vision of the East Bethesda Greenway. The final number of vehicular parking spaces and housing units will be determined at the time of Site Plan.

The Applicant is proposing 100 on-site bicycle parking spaces. Of the total, 95 will be long-term spaces for the residents and five (5) will be short-term, publicly accessible spaces located outside the building. The final location and design of the bicycle parking spaces will be submitted with the Site Plan.

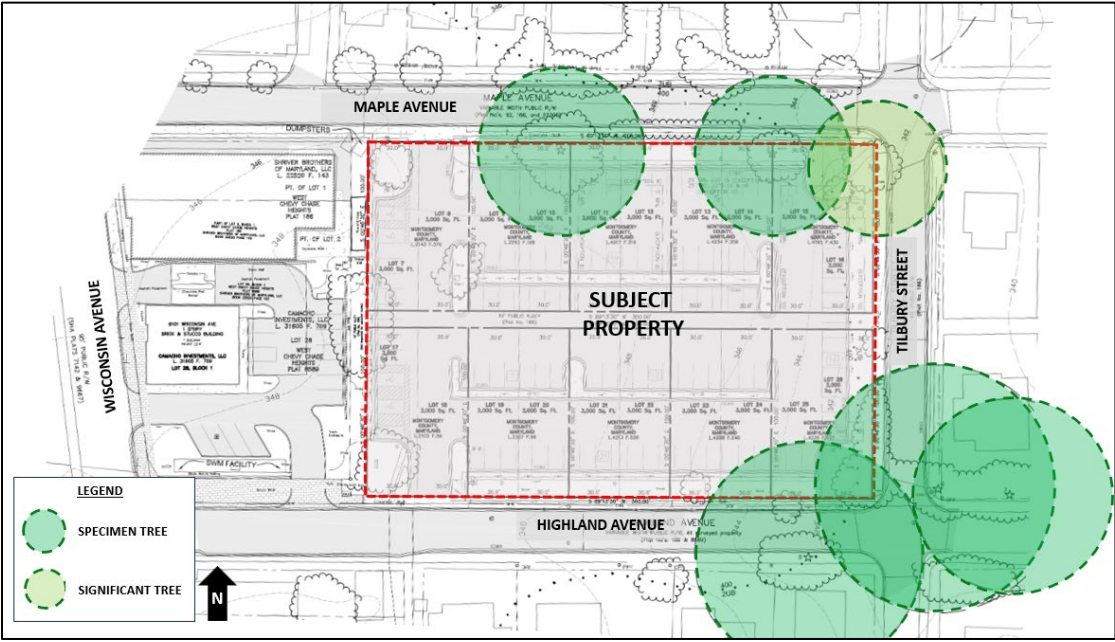
The Site is subject to the 2017 *Bethesda Downtown Plan Design Guidelines*, which set minimum design standards for sidewalks along the Site frontage. The Applicant is demonstrating compliance with the

<sup>5</sup> Redevelopment of Lot 44 will occur through separate development applications.

Guidelines with 13-foot-wide sidewalks and nine-foot-wide street buffers on Highland Avenue. Seven-foot-wide sidewalks and seven-foot-wide street buffers are shown on Maple Avenue. The Applicant is showing variable-width street buffers along Tilbury Street with widths ranging from nine to 16 feet wide, with a 10-foot-wide curvilinear sidewalk. The design of streetscape will be finalized at the time of Preliminary Plan.

The Subject Application is estimated to generate 140 peak hour person trips in both the morning and evening hour, based on a density of 235 mid-rise multifamily units. In accordance with the 2020-2024 *Growth and Infrastructure Policy*, any project generating 50 or more net new peak hour person trips is required to submit a Transportation Impact Study (TIS) with a Preliminary and/or Site Plan. As the Subject Application is estimated to generate 140 peak hour person trips, the Applicant will be required to submit a TIS with the Preliminary Plan.

**ENVIRONMENT**



*Figure 12 - Specimen and Significant Trees*

All properties seeking approval of a Sketch Plan after February 26, 2018 must obtain approval of a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) or Forest Conservation Exemption prior to Planning Board action on the Sketch Plan. Accordingly, an NRI/FSD was approved for the Subject Property on February 3, 2024. The NRI/FSD, designated No. 420240980, identifies the existing man-made and natural features associated with the Property, such as the buildings, associated parking, street trees and landscape elements. As described above, the setting includes specimen and mature trees located and near the site.

Although there is no forest on-site or adjacent to the Property, a Forest Conservation Plan (FCP) will be required as part of the future Preliminary/Site Plan submittal. Due to tract area, anticipated offsite work for utility connections, and the mixed-use designation of this project, a minor afforestation requirement is expected; this afforestation requirement will be finalized with the submittal of the FCP and included forest conservation worksheet.

Additionally, due to the location of specimen trees on and near the Subject Property, a forest conservation variance is required for impact to trees that measure 30 inches DBH or greater. The FCP must show tree protection measures for subject tree impacts as well as mitigation for subject trees that cannot be saved. At this early Sketch Plan stage, the Applicant anticipates potential removal of the two specimen trees along Maple Avenue with mitigation for these trees to occur within the proposed Eastern Greenway. Tree impacts and associated mitigation will be further refined during review of the Forest Conservation Plan.

### Green Cover

The Sector Plan includes a number of recommendations to achieve the urban green goals. An important recommendation to this effect is the minimum on-site 35% green coverage recommendation. Green cover may be a consolidated space or a combination of intensive green roof (6 inches or deeper) or tree canopy cover and may be on the ground or over structure. This Application consists of a Site Area of 40,730 square feet (SF) which results in a green cover requirement of at least 14,255 SF. Currently, the Application proposes to meet this requirement entirely through installation of green roof at various levels of the proposed development, which will also be utilized as stormwater management. The final design and methods of achieving 35% green cover will be confirmed at the Site Plan stage of the Application.

## SECTION 5: COMMUNITY OUTREACH

The Applicant has complied with all submittal and noticing requirements, and a pre-submittal public meeting was held on December 4, 2023. Several questions were raised at the meeting including specific details of the Eastern Greenway, including the size, design, maintenance and amenities, and how it would be tied into properties to the south. The project will address water retention issues, where will the building entrance will be located, how many public parking spots will be replaced, impacts from the project including construction noise, parking, student generation, trash, loading, and increased traffic. The Applicant addressed each question with reference to how it will be addressed by the Project, Code Requirements, and regulatory process.

In addition to the concerns raised at the Community Meeting, Staff received several letters of correspondence throughout the review of the Project. The issues have been summarized below.

### ACCESS ON MAPLE AVENUE

Concern: Residents living on or proximate to Maple Avenue voiced concerns that the Project proposes consolidating all vehicular access to Maple Avenue. They explained that additional vehicular traffic will increase congestion on Maple Avenue and impede pedestrian safety. Some residents requested that an additional access point be considered on Highland Avenue in order to lessen the burden on Maple Avenue. There was also concern that increased traffic will impede pedestrian safety along Maple Avenue.

Response: Consolidating vehicular access points to a single location on a Site, especially in urban areas, is both desirable and required by the Zoning Ordinance. Section 59-6.2.1.E. of the Zoning Ordinance restricts corner lots and through lots to one driveway or curb cut, unless the roadway is classified as a residential road. None of the three frontages are residential roads, rather they are classified as Downtown Streets. To maximize the distance between the driveways and the adjacent intersections, and to reduce potential impacts to the Eastern Greenway Park, the driveway would need to be located either on Maple Avenue or Highland Avenue (the longer of the three frontages). The Site is north of many local and regional activity nodes including the Bethesda Metro Station (both existing and planned), the Purple Line Station, retail and entertainment establishments in the Downtown Core, and access points to the Capital Crescent Trail. The building lobby is also planned to be located on Highland Avenue, the southern frontage of the Site. Given the likely pedestrian path of travel, the desire lines will be strongest southward of the Site, volumes of pedestrians and bicyclists are expected to be higher on Highland Avenue. For these reasons Staff supports consolidating vehicular access to Maple Avenue.

### PEDESTRIAN SAFETY

Concern: There is a concern for pedestrian safety given that many of the existing residents of the area walk from their homes to the businesses of downtown Bethesda, typically along Maple Avenue.

Response: The existing sidewalks along the south side of Maple Avenue are four (4) feet in width, and the Project will be required to conform to the Bethesda Design and Streetscape Guidelines, which are intended to increase pedestrian safety and comfort along the Site frontage. This includes providing sidewalks that are at least six (6) feet wide and vegetated street buffers which will improve pedestrian safety. The Project will also be constructing a portion of the Eastern Greenway Public Park, which will provide a new option for pedestrian travel to the downtown area along Tilbury Street where there currently are no sidewalks. Lastly, as part of the required Transportation Impact Study that will be reviewed during the Preliminary Plan application, the Pedestrian Level of Comfort (PLOC) will further analyze the pedestrian safety in the area to determine if additional improvements are required.

## IMPACTS FROM THE DEVELOPMENT

### On-street Parking

Concern: Many residents cite an existing issue regarding lack of on-street parking availability and the concern that the new development would exacerbate this limited availability. On-street parking along Maple Avenue, generally any street east of Tilbury Street, is limited to permit parking for the East Bethesda Neighborhood.

Response: Per the Montgomery County DOT website for Residential Permit Parking, outside of central business district areas only single-family dwelling units are eligible to participate in the program. Given that the new development will be located within the CBD, new residents from the development would not be eligible to receive a parking permit.

### Trash

Concern: There are concerns regarding the visual impact and potential odor from the trash and loading that is proposed off of Maple Avenue.

Response: While Sketch Plans are conceptual, the proposed layout will recess the loading and trash bay into the building, to be concealed by a garage door. As the Project moves forward to Site Plan, more details regarding the elevations and materials will be required.

### Traffic

Concern: In addition to the concerns above, there are general concerns regarding the additional cars and trips from the new development for the public parking and future residents of the building.

Concern: As stated in the Proposal Section above, the Project is estimated to generate more than 50 new net trips during the peak hour, and as such, is required to provide a Transportation Impact Study at the time of Preliminary Plan. Given that the Project is located in a Red Policy Area, the TIS will not be required to conduct a vehicular adequacy test per the 2020-2024 Growth and Infrastructure Policy. The TIS will conduct adequacy tests for bicycle, pedestrian, and transit travel modes.

## SECTION 6: SKETCH PLAN 320240070 FINDINGS AND ANALYSIS

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 1: Lot 25 Redevelopment Sketch Plan Data Table for CR & CRT Zone, Optional Method, Section 59.4.5.4*

Development Standard	Permitted/ Required	Proposed
<b>Tract Area</b> <b><u>CR 3.0 C-2.0 R-2.75 H-70'</u></b> Lots 7-10 & 17-20 Prior Dedications Proposed Dedication <b>Subtotal CR 3.0</b>	n/a	21,900 (0.50) 7,563 (0.17) 2,100 (0.05) <b>31,563 (0.72)</b>
<b><u>CRT 0.5 C-0.25, R-0.5, H-70'</u></b> Lots 11-16 & 21-26 Prior Dedications Proposed Dedication Proposed Park Dedication <b>Subtotal CRT 0.5</b>		15,830 (0.36) 14,500 (0.33) 5,175 (0.12) 14,995 (0.34) <b>50,500 (1.16)</b>
TOTAL Tract Area		<b>82,063 (1.88)</b>
<b>Site Area<sup>1</sup> (Square Feet/Acres)</b> Prior Dedication Proposed ROW Dedication Proposed Eastern Greenway Dedication + alley abandonment <b>Site Area (Tract Area – Dedications)</b>	n/a	22,063 (0.51) 7,275 (0.18) 14,995 (0.34) +3,000 (0.06) <b>40,730 (0.93)</b>
<b>Mapped Density</b> <u>Residential (GFA/ FAR)</u> CR 3.0, C2.0, R2.75, H70' CRT 0.5, C0.25, R0.5, H70' <b>Residential Subtotal</b>	86,798 sf (2.75) 25,250 sf (0.5) 112,048 sf	86,798 sf (2.75) 25,250 sf (0.5) <b>112,048 sf</b>



<u>Commercial (GFA/FAR)</u>		
CR 3.0, C2.0, R2.75, H70'	63,126 sf (2.0)	7,891 sf (0.25)
CRT 0.5, C0.25, R0.5, H70'	12,625 sf (0.25)	0 sf
<b>Commercial Subtotal</b>	109,250	<b>7,891 sf (0.25)</b>
<b>Total Mapped Density (GFA/FAR)</b>		119,939 (1.46)
<b>Bethesda Overlay Zone Density (GFA/FAR)</b>		110,061 sf (1.34) <sup>2</sup>
<b>MPDU requirement</b>	15%	20%
<b>Total GFA/FAR</b>		<b>230,000 (2.80)</b>
<b>Building Height, max</b>	70'	82'4" <sup>3,4</sup>
<b>Public Open Space (min s.f.)</b>	10% of site area	10% <sup>5</sup> (4,073 sf)
<b>Green Cover</b>	35% of site area	35% (14,256 sf)

<sup>1</sup> Site area is determined by tract area minus any previous and proposed dedications per Section 59-4.5.2.A.2.e, to be finalized at Preliminary Plan based on Gross Tract Area Exhibit

<sup>2</sup> Projects utilizing Bethesda Overlay Zone Density are subject to a PIP payment and may reduce the square footage associated with MPDUs. This Project is eligible for a PIP reduction based on the dedication of public parkland for the Eastern Greenway.

<sup>3</sup> The Applicant is requesting the Planning Board allow additional height based on the provision of Major Public Facilities per Section 59.4.5.2.A.2.e of the Zoning Ordinance.

<sup>4</sup> The Project is subject to the Residential Compatibility Standards of Section 59.4.1.8 of the Zoning Ordinance along Maple Avenue.

<sup>5</sup> Section 59.6.3.6.C.1 of the Zoning Ordinance states that, with Planning Board approval, required public open space may be satisfied offsite in instances where the project will be making a public park in an area at least as large as the required public open space. The Applicant will be dedicating 14,995 square feet as public parkland for the Eastern Greenway and as such will not be required to provide the public open space onsite.

### Section 59.6.3.6, Public Open Space

Given the size of the tract and the number of frontages, a total of 10% of the Site is required as public open space onsite, totaling 4,073 square feet. As previously stated, the Project will be dedicating 14,995 square feet as public parkland for the Sector Planned Eastern Greenway. Per Section 59.6.3.6.C.1 of the Zoning Ordinance, with Planning Board approval, required public open space may be satisfied offsite in instances where the project will be making a public park in an area at least as large as the required public open space. The public park dedication will exceed the public open space typically required by the Zoning Ordinance and will contribute to the Sector Planned Eastern Greenway, therefore Staff recommends the Planning Board allow the public open space requirements be satisfied offsite for the Project.

### Section 59.4.5.2.A, Height Limits for Major Public Facilities

The Applicant is requesting the Planning Board approve additional height on the Project site based on the provision of Major Public Facilities, including replacement of surface parking within a structured garage within the building and the dedication of land for the Eastern Greenway Public Park. Per Section 59.4.5.2.A.2.e of the Zoning Ordinance, *“with Planning Board approval, any Optional Method project in a CR zone that includes the provision of a major*

public facility ... may add the height of any floor mostly used for above grade parking to the maximum height otherwise allowed, when the major public facility diminishes the ability of the Applicant to provide parking at or below grade.”

By delivering both facilities, the Applicant is limited in providing parking under the land to be dedicated for the public park given issues with fully dedicating the land, thereby requiring the parking to be fully contained within the building footprint. The Applicant has provided an exhibit demonstrating how the public parking provided within the building meets the criteria contained in the Zoning Ordinance and the additional height associated with this parking is approximately 12’4”. Therefore, the Applicant is requesting additional height beyond the 70-foot mapped height for this parking. Given that the public parking is required to meet several criteria set forth by the Department of Transportation, Staff is recommending a maximum building height of 83 feet, to be finalized at the time of Site Plan.

#### Section 59.4.1.8, 4.5 Residential Compatibility

Per the standards set forth in Section 59.4.1.8 of the Zoning Ordinance, the Subject Property confronts a residential single family detached zone on the north side of Maple Avenue, and therefore the Property must comply with the height compatibility standards set forth in Section 59.4.1.8.B.2.b which states that the height of the proposed building is limited to the maximum height allowed for a detached house in the confronting zone at the front setback line and may increase in height at a 45 degree plan. The Applicant has provided an exhibit demonstrating the massing conforming to this standard and will be finalized at the time of Site Plan application.

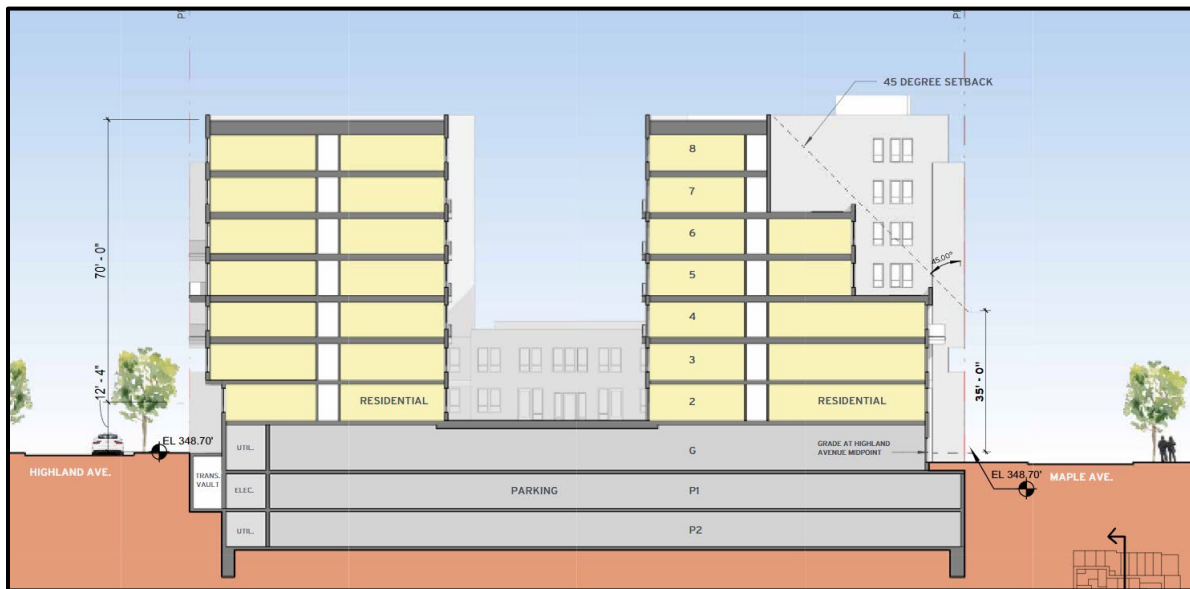


Figure 13 – Section looking west towards Wisconsin Avenue showing limited building height along Maple Avenue

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

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

1. Parks and open spaces, including new civic greens at Veteran’s Park, Bethesda Farm Women’s Cooperative Market, Capital Crescent Trail and new urban parks, pathways and gateways. Many of these parks on the eastern edge are to be connected through the creation of the Eastern Greenway.
2. Affordable housing, including the preservation of existing market-rate affordable housing, providing a mix of housing options and the provision of Moderately Priced Dwelling Units in exchange for development incentives.
3. Environmental innovation, including more energy-efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other measures to enhance community health and quality of life.
4. Economic competitiveness, based on new development, public amenities and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.

The Property is within the Eastern Greenway District designated as sites 206 and 207 on page 134 of the Sector Plan. The Eastern Greenway District is split into two sections, north and south of East West Highway. The Property is in the northern district which is characterized by low-density, primarily residential development, green open spaces and paved parking lots which provides a transitional area between the commercial structures of the Central Business District (CBD) along the Wisconsin Avenue Corridor and the single-unit houses of East Bethesda. The Project addresses the following goals as outlined in the Overarching Goals and the Eastern Greenway District sections of the Sector Plan:

- *Ensure the stability of the land uses in the transitional area to preserve East Bethesda and the Town of Chevy Chase as single unit residential neighborhoods*

The Proposal will provide a sizeable redevelopment of an underutilized surface parking lot and deliver a portion of the Sector Planned Eastern Greenway public park as a transition to the residential neighborhood of East Bethesda. As proposed, the Project will construct an 83-foot-tall building on the block with a 93-foot setback on Tilbury Street for the Eastern Greenway which will be dedicated as a public park.

- *Make the best use of land near the Bethesda Metrorail Station and future Purple Line station by promoting redevelopment of underutilized properties and private surface parking lots.*

The Project will transform an underutilized surface public parking lot into a mixed-use building with important public facilities such as increased levels of affordable housing, the dedication and construction of public parkland, and integration of replacement public parking spaces within the structured parking for the residential building.

- *Provide a compatible transition between higher-density development along Wisconsin Avenue and the East Bethesda and Town of Chevy Chase*

The development will cover the majority of the eastern portion of the block with long facades along Highland and Maple Avenues. The Proposal will decrease in building height towards Maple Avenue where single family residential homes exist on the northern side of the street. The conceptual architectural approach provides many opportunities to break down the massing along the longer side streets. Importantly, the proposed 93-foot-wide Eastern Greenway along Tilbury Street provides a critical dimension of relief as the block transitions to East Bethesda.

- *Provide a green connector and a transition along the eastern edge of the Sector Plan area.*

The 2017 *Bethesda Downtown Sector Plan* recommends the formation of a linear greenway along the western side of Tilbury Street from Maple Avenue down to Cheltenham Drive linking Cheltenham Park, Chase Avenue Urban Park, and a proposed new park on Maple Avenue which is currently County Parking Lot #25. This Eastern Greenway is envisioned to provide additional open space to the area and buffer the higher-density development along Wisconsin Avenue from the East Bethesda neighborhood. The parcels adjacent to and within this future space were rezoned to increase their development potential, as the Eastern Greenway is envisioned to be created through the redevelopment of these parcels. The Sector Plan and Design Guidelines describe how development adjacent to the Eastern Greenway should be oriented towards the open space and the type of uses on the ground floor should activate the space through placement of ground floor retail and/or residential unit entryways. To enhance compatibility with the adjacent residential neighborhood, the Sector Plan calls for the Eastern Greenway width to be equal to the amount of building height proposed. In this case, the building will be 83 feet in height and the proposed Greenway will be 93 feet in width, in conformance with the Sector Plan recommendations.

The proposed Greenway design is conceptually shown on the plans with landscaping and weaving pathways. Parks Staff has created a framework for the entire Eastern Greenway which the Applicant and Staff have been coordinating to realize on this portion of the Greenway. As outlined in Sketch Plan Condition 4, the Applicant must design and construct this space, with further details to be determined at Site Plan in coordination with Park and Planning Staff.

- *Height limits and greenways will ensure compatibility with adjacent neighborhoods, provide public open space, improve connections and enhance environmental benefits.*

The Project proposes a massing with a maximum height of 83 feet and steps down towards Maple Avenue to ensure compatibility with the single-family residential homes on the north side of the street. As discussed above, the Project includes a 93-foot-wide dedication to the Eastern Greenway on the eastern portion of the Site. The height and greenway are thus in keeping with the Sector Plan goals ensuring compatibility with the adjacent neighborhood. The redevelopment will remove the impervious surface parking and allow opportunity for plantings including larger trees.

- *Increase overall tree canopy cover and subcanopy cover by encouraging the planting of trees on public and private land, along rights-of-ways, and within open space and existing neighborhoods.*

The Sketch Plan proposes tree plantings along the Tilbury Street, Highland Avenue, and Maple Avenue rights of ways. These streetscape improvements will be finalized at the time of Site Plan based on conformance with the Bethesda Streetscape and Design Guidelines, as well as final design in coordination with Parks staff for the Eastern Greenway.

- *On private property, provide a minimum of 35 percent green cover, which may include either singularly or a combination of intensive green roof and/or tree canopy cover.*

The green cover may include a consolidated space or a combination of intensive green roof (6 inches or deeper) or tree canopy cover. This Application consists of a Site Area of 40,730 square feet (SF) which results in a green cover requirement of at least 14,256 SF. Currently, the Application proposes to meet this requirement entirely through installation of an 8-inch-deep green at various levels of the proposed development. The final design and methods of achieving 35% green cover will be confirmed at the Site Plan stage of the Application. Staff is supportive of this proposal and encourages the Applicant to continue to maintain at least this level of green cover as the Project evolves in order to maintain compliance with the Sector Plan's urban green goals.

### Transportation

The Site fronts on three public streets including Maple Avenue, Tilbury Street and Highland Avenue. All three have a master-planned right-of-way of 60 feet total. The Applicant is showing an intent to dedicate the necessary right-of-way to achieve 30 feet from the centerline on all streets. This dedication to public right-of-way will be required at the time of Preliminary Plan.

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

This Project will transform an existing surface parking lot into a new mixed use building with a Sector Planned Eastern Greenway public park.

- 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 Proposal will allow for multifamily development, increasing housing options near east Bethesda which is predominantly single-family residential homes. The Project is located less than ½ mile of the Bethesda Metro Station and several Ride On bus locations along Wisconsin Avenue, and will deliver two major public facilities including the replacement of public surface parking in a new structured parking within the building, and dedication of public parkland for the Sector Planned Eastern Greenway.

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

The Project will include a mix of uses including multifamily residential and commercial space for live work units. The massing will provide a maximum building height of 83 feet which will reduce in height towards Maple Avenue to maintain compatibility with the single-family residential homes on the northern side of the street. The Project will also be dedicating land to the Eastern Greenway on the eastern portion of the Site to provide a significant buffer for the neighborhood on the eastern side of Tilbury Street.

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

The Project will provide additional housing opportunities, specifically affordable housing at deeper levels of affordability, at a location that will contribute to the nearby employment opportunities within downtown Bethesda.

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

As the Project is providing 20% Moderately Priced Dwelling Units, no other public benefits are required per Section 59.4.7.3.D.6.e of the Zoning Ordinance. Regardless, the Project is on track to achieve 165 public benefit points to achieve the desired incentive density above the standard method limit as further discussed in Finding 6 below. Final determination of public benefit points will be determined at the time of Site Plan.

**2. *Substantially conforms to the recommendations of the applicable master plan:***

As stated in Finding 1.a above, previously the Applicant is showing ROW dedication on all three frontages to achieve a minimum of 30 feet from the centerline, as master-planned in the

2017 *Bethesda Downtown Sector Plan*. There are no dedicated bicycle facilities master-planned along any of the three site frontages.

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

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

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

The proposed massing will achieve compatible internal and external relationships between existing and pending nearby development. The massing will focus the building entrance at the southeast corner of the building near the Eastern Greenway at Highland Avenue, towards downtown Bethesda. The massing will relate to the pending redevelopment of 8001 Wisconsin Avenue to the south, which has received Sketch Plan and Preliminary Plan approval for a residential building up to 90 feet in height that steps down to 70 feet along the Eastern Greenway. This Proposal will be of a similar height and will be connected through the Eastern Greenway along Tilbury Street. To the north, the massing steps down in height to remain compatible with the existing single family residential neighborhood to the north. The Applicant has provided an exhibit that demonstrates the compatibility based on the standards contained in Section 59.4.1.8 of the Zoning Ordinance.

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

The Applicant is showing wider, buffered sidewalks than what exists today on all three frontages. The street buffers, pedestrian through zones and frontage zones conform with the 2017 *Bethesda Downtown Plan Design Guidelines*. The design of these streetscape will be finalized at the time of Preliminary Plan. Widening the existing sidewalks (and providing new ones where they don't exist on Tilbury Street) and widening the street buffers will significantly improve pedestrian access, safety, and circulation in and around the Site and the proposed park.

All vehicular access will be consolidated to Maple Avenue, approximately midblock between Wisconsin Avenue and Tilbury Street. Consolidating the loading and garage access to one location is required per Section 59-6.12.1.E. Given the proximity to many activity centers south of the Site (the Bethesda Metro Station, Purple Line Station, retail and entertaining in the Downtown Core and the CCT trailhead), and the fact that the building lobby entrance is proposed on Highland Avenue, higher volumes of pedestrians and bicyclists are expected on Highland Avenue. Therefore, the appropriate location for the consolidated access is on Maple Avenue. The parking and loading point will be evaluated for sight distance at the time of Preliminary Plan.

The Project will replace public Parking Surface Lots 25 and 44 with 145 parking spaces available to the general public within the structured parking garage. This results in a net decrease of 38 spaces between the two surface lots. The Applicant has worked closely with MCDOT Division of Parking Management to determine the appropriate number of parking spaces for this area of Bethesda, while balancing the benefits of increasing the number of housing units (especially affordable) and the two new public parks that will further realize the master planned vision of the East Bethesda Greenway. The Project is proposing 103 reserved spaces for the 235 units on-site, which is more than the minimum required as the Site is located within the Parking Lot District. The Project is required to provide a minimum of 100 total bicycle parking spaces. Of those 100, 95 will be long-term spaces located within the building and five will be short-term available to the public. The final number of parking spaces for vehicles and bicycles, as well as the number of residential units will be determined at the time of Site Plan.

One loading space is required for the Project and one is shown on the plan within a consolidated access point with the parking garage.

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

Taking into account the considerations in Section 59.4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site, as described below.

For the proposed development, the Zoning Ordinance requires 100 points in 4 categories, however Section 59.4.7.3.D.6.e states that if a project provides a minimum of 20% MPDUs that no other public benefit categories have to be satisfied. The Applicant proposes to exceed the requirements by providing 165 public benefit points utilizing 3 categories. Although at the time of Sketch Plan review only an outline of public benefits needs to be approved, the following table shows both the categories and points for the public benefits requested at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient benefit points.



Table 2: Public Benefit Calculations- Division 59-4.7

<b>Public Benefit</b>	<b>Maximum Points Allowed</b>	<b>Conceptually Proposed</b>
<b>Major Public Facilities</b>	70	70
<b>Diversity of Uses and Activities</b>		
Moderately Price Dwelling Units	N/A	75
<b>Quality Building and Site Design</b>		
Exceptional Design	30	20
<b>Total Points</b>	<b>100 (required)</b>	<b>165</b>

Per Section 59.4.9.2.C.4.g of the Zoning Ordinance, the Bethesda Overlay Zone eliminates the category for Transit Proximity, increases the maximum amount of public benefit points available in certain categories, and requires a minimum amount of public benefit points for Exceptional Design and Energy Conservation and Generation for projects located within the High Performance Area as delineated in the 2017 *Bethesda Downtown Sector Plan*. Applicable to this Sketch Plan are the Overlay Zone’s increase in maximum points available for Exceptional Design (from 10 to 30 maximum points). This project is not located within the High Performance Area, therefore no points are required in this category.

**MAJOR PUBLIC FACILITY**

**Eastern Greenway**

The Applicant requests 70 points for providing a major public facility in the form of the Eastern Greenway Sector Planned Public Park. Incentive Density for major public facilities is limited to 70 points in a CR zone and may be granted if the applicant conveys land and/or floor area for the facility, constructs the facility, or makes a payment towards the construction of the facility. In this case, the Applicant is proposing to design, construct and dedicate 14,995 square feet towards the Eastern Greenway in coordination with Parks and Planning staff. Staff supports the category and final design, and points will be determined at the time of Site Plan.

**DIVERSITY OF USES AND ACTIVITIES**

**Moderately Priced Dwelling Units**

The Applicant requests 75 points for providing 20% Moderately Priced Dwelling Units. The final percentage and number of affordable units will be determined at Site Plan. Staff supports the Applicant’s request at this time.

**QUALITY OF BUILDING & SITE DESIGN**

**Exceptional Design**

The Applicant requests 20 points for building and/or site design that enhances the character of a setting. As a site receiving an allocation of Bethesda Overlay Zone density, the Project is subject to the Design Advisory Panel review, which will award points based on the quality of the design. The Applicant asserts that the Project fulfills many recommendations of the *Bethesda Downtown Sector Plan* and Design Guidelines.

The Design Advisory Panel (DAP) unanimously voted the Project is on track to meet the minimum design excellence points at their January 24, 2024 meeting with the following to be addressed at Site Plan:

1. Highland Ave: Celebrate the lobby entrance more through removing all or some of parking and allowing wider sidewalk experience. Program Highland Avenue through unit entries, bike storage entries, and/or landscaping. Explore moving utilities farther west to avoid bifurcation of the ground floor.
2. Greenway: Revise entrance to be incidental and asymmetrical, perhaps closer to the lobby, while maintaining visual transparency from Greenway to the interior courtyard no matter where the entrance is.
3. Elevations: Overall simplification of language and materials, grounding the bays and enhancement of transparency of the amenity space from the Greenway.

Staff supports the Applicant's request at this time, with further refinement and final points determined at the time of Site Plan.

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

The Project will be delivered in one phase and will require subsequent Preliminary Plan and Site Plan applications to finalize the details for dedication, streetscape and frontage improvements, and final building design. A Mandatory Referral application will also be required.

## SECTION 7: CONCLUSION

As conditioned, the Sketch Plan application satisfies the findings under Section 59.7.3.3 and the applicable standards of the Zoning Ordinance, substantially conform to the recommendations of the 2017 *Bethesda Downtown Sector Plan*. Therefore, Staff recommends approval of Sketch Plan No. 320240070 with the conditions specified at the beginning of this report.

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### ATTACHMENTS

*Attachment A: Sketch Plan*

*Attachment B: Agency Letters*

*Attachment C: Bethesda Design Advisory Panel Minutes*

*Attachment D: Community Correspondence*

*Attachment E: Affidavit Regarding Community Meeting and Meeting Minutes*

*Attachment F: Eastern Greenway Framework*

*Attachment G: PLD #25 Appraisal Summary*