

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

June 21, 2024

MCPB No. 24-056
Sketch Plan No. 320240070
PLD Lot 25 Redevelopment
Date of Hearing: May 30, 2024

RESOLUTION

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

WHEREAS, on March 6, 2024, Monument Realty (“Applicant”) filed an application for approval of a sketch plan for construction of up to 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 on 1.88 acres of 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”) zoned-land, located at approximately 130 feet east of Wisconsin Avenue on the block bounded by Maple Avenue, Tilbury Street, Highland Avenue, and a public alley (“Subject Property”) in the Bethesda CBD Policy Area and 2017 *Bethesda Downtown Sector Plan* (“Sector Plan”) area; and

WHEREAS, Applicant’s sketch plan application was designated Sketch Plan No. 320240070, PLD Lot 25 Redevelopment (“Sketch Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 20, 2024, providing its analysis and recommendation for approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, on May 30, 2024, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, Commissioners Bartley, Hedrick, and Linden voting in favor.

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Approved as to

Legal Sufficiency: /s/ Allison Myers

M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320240070, PLD Lot 25 Redevelopment, for construction of up to 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 on the Subject Property, subject to the following binding elements and conditions:¹

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

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

All other elements are illustrative.

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.

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

- 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, with the 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 stormwater management 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.

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

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

The Application meets the standards of the CR and CRT zone as follows:

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
Tract Area	n/a	
<u>CR 3.0 C-2.0 R-2.75 H-70'</u>		
Lots 7-10 & 17-20		21,900 (0.50)
Prior Dedications		7,563 (0.17)
Proposed Dedication		2,100 (0.05)
Subtotal CR 3.0		31,563 (0.72)
<u>CRT 0.5 C-0.25, R-0.5, H-70'</u>		
Lots 11-16 & 21-26		15,830 (0.36)
Prior Dedications		14,500 (0.33)
Proposed Dedication		5,175 (0.12)
Proposed Park Dedication		14,995 (0.34)
Subtotal CRT 0.5		50,500 (1.16)
TOTAL Tract Area		82,063 (1.88)
Site Area¹ (Square Feet/Acres)	n/a	
Prior Dedication		22,063 (0.51)
Proposed ROW Dedication		7,275 (0.18)
Proposed Eastern Greenway Dedication		14,995 (0.34)
+ alley abandonment		+3,000 (0.06)
Site Area (Tract Area – Dedications)		40,730 (0.93)
Mapped Density		
<u>Residential (GFA/ FAR)</u>		
CR 3.0, C2.0, R2.75, H70'	86,798 sf (2.75)	86,798 sf (2.75)
CRT 0.5, C0.25, R0.5, H70'	25,250 sf (0.5)	25,250 sf (0.5)
Residential Subtotal	112,048 sf	112,048 sf
<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
Commercial Subtotal	109,250	7,891 sf (0.25)
Total Mapped Density (GFA/FAR)		119,939 (1.46)
Bethesda Overlay Zone Density (GFA/FAR)		110,061 sf (1.34) ²
MPDU requirement	15%	20%
Total GFA/FAR		230,000 (2.80)
Building Height, max	70 ft	82 ft 4 in ^{3,4}
Public Open Space (min s.f.)	10% of site area	10% ⁵ (4,073 sf)
Green Cover	35% of site area	35% (14,256 sf)

¹ 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

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

³ 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.

⁴ The Application is subject to the Residential Compatibility Standards of Section 59.4.1.8 of the Zoning Ordinance along Maple Avenue.

⁵ 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. The Application 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 off-site 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 the Planning Board approves 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 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, the Planning Board approves 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 plane. The Applicant has provided an exhibit demonstrating the massing conforming to this standard and will be finalized at the time of Site Plan application.

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*. 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 benefits 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 western 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 Eastern 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 way. 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, which results in a green cover requirement of at least 14,256 square feet. 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. The Planning Board 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 intends 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 anticipated to achieve 165 public benefit points to achieve the desired incentive density above the standard method limit as further discussed in Finding 6 below. The Planning Board will make a final determination of public benefit points 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 Application provides buffered sidewalks that are wider 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 the streetscape will be finalized at the time of Preliminary Plan. Widening the existing sidewalks (and providing new ones where they do not currently 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 44² 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 Eastern 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 would typically require 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, the Planning Board

² Redevelopment of County Parking Lot #44 is not under consideration with this Sketch Plan and will be reviewed under a separate development application.

only needs to approve an outline of public benefits, 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

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

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. The Planning Board supports the category, with the final design and points to 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. The Planning Board 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 Bethesda Design Advisory Panel review, which will award points based on the quality of the design.

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 Avenue: 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.

The Planning Board 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.

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

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

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of Sketch Plan No. 320240070, PLD Lot 25 Redevelopment, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

June 21, 2024

(which is the date that this Resolution is mailed to all parties of record).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of **5-0**; Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley, Hedrick, and Pedoeem, voting in favor of the motion, at its regular meeting held on Thursday, June 20, 2024, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board