

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

FEB 08 2023

MCPB No. 23-008
Sketch Plan No. 320210050
8001 Wisconsin Avenue
Date of Hearing: January 26, 2023

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 December 28, 2020, B.F. Saul Company (“Applicant”) filed an application for approval of a sketch plan for up to 375,000 square feet of mixed use density, including up to 360,000 square feet of residential uses with 15% MPDUs and 15,000 square feet of non-residential uses, and up to 159,689 square feet of BOZ density on 2.74 acres of CR-3.0 C-3.0 R-2.75 H-90’, CR-3.0 C-2.0 R-2.75 H-90’, CR-0.5 C-0.5 R-0.5 H-70’, CRT- 0.5 C-0.25 R-0.5 H-70’ and Bethesda Overlay Zoned land, located at the block bounded by Wisconsin Avenue, Highland Avenue, West Virginia Avenue, and Tilbury Street (“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. 320210050, 8001 Wisconsin Avenue (“Sketch Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated January 13, 2023, providing its analysis and recommendation for approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, on January 26, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Piñero, seconded by Vice Chair Presley, with a vote of 5-0; Chair Zyontz, Vice Chair Presley, Commissioners Branson, Hill and Piñero 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. 320210050, 8001 Wisconsin Avenue, for construction of up to for up to 375,000 square feet of mixed-use density, including up to 360,000 square feet of residential uses with 15% MPDUs and 15,000 square feet of non-residential uses, and up to 159,689 square feet of BOZ 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.

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

1. Density

The Sketch Plan is limited to a maximum of 375,000 square feet of total density including 360,000 square feet of residential uses with 15% MPDUs and 15,000 square feet of non-residential uses. This maximum includes up to 159,689 square feet of BOZ density. The final amount of BOZ density will be determined at Site Plan.

2. Height

The development is limited to a maximum building height of 90 feet along Wisconsin Avenue and 70 feet along Tilbury Street, as measured from the building height measuring point to be illustrated on the Certified Site Plan.

3. Incentive Density

The development must be constructed with the public benefits listed below unless modifications are made under Section 59.7.3.3.I. at the time of Site Plan. Total points must equal at least 100 and be chosen from at least 4 categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the

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.

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 Facility, achieved through construction of the Master-Planned Eastern Greenway public space;
- b) Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance;
- c) Quality of Building and Site Design, achieved through exceptional design and structured parking; and
- d) Protection and Enhancement of the Natural Environment, achieved through the purchase of building lot terminations and energy conservation.

4. Park Impact Payment

The Applicant must make a Park Impact Payment (PIP) to the M-NCPPC before the release of the first above-grade building permit. The final amount will be determined at Site Plan.

5. Streetscape

The Applicant must install the Bethesda Streetscape Standard along the Subject Property's right-of-way frontage, and MCDOT and Planning staff approved equivalent for the portions of West Virginia Avenue outside of the Urban District boundary, including the undergrounding of utilities.

6. Public Open Space

The Applicant must provide a minimum of 10% of the Site Area as Public Open Space.

7. 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.

8. Eastern Greenway

- a) The Applicant must provide for the design and construction the Eastern Greenway public space on a portion of the subject Site along Tilbury Street. The final size, design, construction phasing, and operational issues will be addressed at Site Plan.

- b) At the time of Site Plan, the Applicant must submit a design for the Eastern Greenway to Parks and Planning Staff for review. The design must address the following:
 - i. Consistency with the Department of Parks' Concept Framework for the Eastern Greenway, 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 that meet the Department of Parks standards, such as but not limited to an improved hard surface promenade trail, plantings, signage, seating, and other suitable active and passive amenities.

9. 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 November 17, 2021 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*.

10. Future Coordination for the Site Plan

In addition to any other requirements for Site Plans under Chapter 59, the following must be addressed in the Site Plan application:

- a) The Applicant must submit and receive approval of a Preliminary/Final Forest Conservation Plan and Variance Request. The Final Forest Conservation Plan must be consistent with the Preliminary Forest Conservation Plan.
- b) Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- c) 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);
- d) Address Bird-Safe Design per the Bethesda Downtown Sector Plan Design Guidelines;
- e) Submit a draft Energy use/generation model as required by the Bethesda Implementation Guidelines;
- f) Confirmation from the Department of Permitting Services on the application of energy conservation and generation points given that only a portion of the Project is located within the High-Performance Area;

- g) At Site Plan, the Applicant must 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).

11. Validity

A site plan must be submitted within 48 months after the mailing date of the resolution.

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;

Table 1: 8001 Wisconsin Avenue Sketch Plan Data Table for CR Zone, Optional Method, Section 59.4.5

Development Standard	Permitted/ Required	Proposed
Tract Area (Square Feet/ Acres)¹		
CR 3.0 C-3.0 R-2.75 H-90'		
Lot 25 (Tax ID 07-02551384)		21,957 (0.50)
PT of Lot 3 (Tax ID 07-01969544)		3,745 (0.09)
PT of Lot 1, 2 & 3 (Tax ID 07-01969577)		20,235 (0.46)
Subtotal		45,937 (1.05)
CR 3.0 C-2.0 R-2.75 H-90'		
Lot 7 & 8 (Tax ID 07-00545132)	n/a	8,125 (0.18)
Lot 27 (Tax ID 07-03548713)		8,125 (0.18)
Subtotal		16,250 (0.36)
SUBTOTAL CR 3.0		62,187 (1.42)
CRT 0.5 C-0.5 R-0.5 H-70'		
Lot 9, 10, 11 (Tax ID 07-00545176)		11,250 (0.26)
Lot 26 (Tax ID 07-03457071)		11,250 (0.26)

Subtotal		22,500 (0.52)
CRT 0.5 C-0.25, R-0.5, H-70'		
Lot 28 (Tax ID 07-03517040)		7,500 (0.17)
Lot 14 & 15 (Tax ID 07-00545121)		10,000 (0.23)
Lot 23 & 24 (Tax ID 07-00545165)		10,000 (0.23)
Lot 21 & 22 (Tax ID 07-00545154)		7,500 (0.17)
Subtotal		35,000 (0.80)
SUBTOTAL CR 0.5		57,500 (1.32)
TOTAL Tract Area		119,687 (2.75)
Site Area (Square Feet/ Acres)		
Prior Dedication		39,723 (0.91)
Proposed ROW Dedication		
Highland Avenue		3,637 (0.08)
Wisconsin Avenue		2,234 (0.04)
West Virginia Avenue	n/a	1,000 (0.02)
Tilbury Street		2,400 (0.05)
Proposed Dedication Subtotal		9,271 (0.22)
Alley Abandonment ²		+2,375 (0.5)
Site Area (Tract Area - Dedications)		73,068 (1.67)
Residential Density (GFA/ FAR)		
CR 3.0, C3.0, R2.75, H90' & CR 3.0, C2.0, R2.75, H90'	171,014 (2.75)	
CRT 0.5, C0.5, R0.5, H70' & CRT 0.5, C0.25, R0.5, H70'	28,750 (0.50)	
Subtotal	199,764	360,000 (3.0)
Commercial Density (GFA/ FAR)		
CR 3.0, C3.0, R2.75, H90'	137,811	
CR 3.0, C2.0, R2.75, H90'	32,500	
CRT 0.5, C0.5, R0.5, H70'	11,250	
CRT 0.5, C0.25, R0.5, H70'	8,750	
Subtotal	190,311	15,000 (0.13)
Total Mapped Density (GFA/FAR)	186,561 (CR 3.0) 28,750 (CRT 0.5) 215,311	215,311 (1.80)
Bethesda Overlay Zone Density (GFA/ FAR)	n/a	159,689 (1.33)
Total GFA/ FAR	n/a	375,000 (3.13) ⁴
MPDU	15%	15%
Building Height	70' / 90' feet ³⁵	70' / 90' feet ³⁵
Public Open Space (min)	10% of site area	10% of site area

Green Cover	35% of site area	35% of site area
Minimum Setbacks		
Wisconsin Avenue, Highland Avenue, West Virginia Avenue	n/a	0
Tilbury Street	n/a	TBD at Site Plan ⁵

¹ Per the Gross Tract Area exhibit, Attachment F.

² The Applicant petitioned in AB769 to abandon the alley, which the Planning Board supported and Council approved with conditions by Resolution 19-939, Attachment E.

³ The Property is split zoned, therefore the height on the Property closer to Wisconsin Avenue is limited to 90 feet and Property closer to Tilbury Street is limited to 70 feet, as measured from the Building Height Measuring Point, to be finalized at Site Plan.

⁴ Per Section 59.4.9.2.C.2.a of the Zoning Ordinance, in the Bethesda Overlay Zone a development may exceed the mapped FAR on a site with Planning Board approval of a Sketch Plan.

⁵ Per the 2017 *Bethesda Downtown Sector Plan*, Property adjacent to Sector Planned Eastern Greenway must provide space for Eastern Greenway proportional to the height of the proposed building, up to the mapped height. Applicant is proposing a 70-foot open space adjacent to Tilbury Street for the Eastern Greenway, to be finalized at the time of Site Plan

a) Implement the recommendations of applicable master plans

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

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.

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.

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.

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 Wisconsin Avenue and Eastern Greenway District. The Property is designated as site 92 on page 101 of the Sector Plan and 208, 209 & 210 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. Located also within the northern portion of the Wisconsin Avenue district, it is characterized by older commercial buildings along Wisconsin Avenue. The Sector Plan sees this area as stable transitional uses. Specifically, 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 an entire block of redevelopment, focusing ground floor retail with taller building heights along Wisconsin Avenue and transitioning the multifamily building to lower heights facing the single-family neighborhood of East Bethesda. As proposed, the project will provide a 70-foot setback along Tilbury Street for the Eastern Greenway which supports a compatible transition from the new building to the single unit residential neighborhood of East Bethesda.

- *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 Proposal will replace 1-2 story commercial with associated surface parking and single-family dwellings, into a mixed-use redevelopment with dedicated open space proximate to the Bethesda Metro Station and future Bus Rapid Transit lines.

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

The development has a large building footprint, covering the majority of the block with long facades along Highland and West Virginia Avenues. The Proposal will focus the taller building heights with ground floor retail along the Wisconsin Avenue corridor, while appropriately decreasing the building height towards Tilbury Street. The conceptual architectural approach provides many opportunities to break down the massing along the longer side streets. Importantly, the proposed 70-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.

The Subject Property is located on a block where the Eastern Greenway is to be located. The Applicant has embraced the Eastern Greenway within the Proposal by providing a swath of land 70 feet in width along the eastern portion of the block. The greenway 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 8, 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 90 feet along Wisconsin Avenue and steps down to 70 feet to the east facing Tilbury Street. As discussed above, the 70-foot Eastern Greenway on this site is a critical open dimension along Highland and West Virginia Avenues, which carry the longest continuous, though modulated, facades of the building. The height and greenway are thus in keeping with the Sector Plan goals ensuring compatibility with the adjacent neighborhood.

- *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 73,068 square feet (SF) which results in a green cover requirement of at least 25,574 SF. Currently, the Application proposes to meet this requirement entirely through installation of an 8-inch-deep green cover 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.

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

The Project proposes to redevelop an entire block within downtown Bethesda that currently contains 1-2 story commercial with associated surface parking and single-family dwellings, into a multifamily redevelopment with ground floor retail along Wisconsin Avenue and structured parking, and dedicated greenway along the eastern portion of the block facing the single-family dwellings of East Bethesda.

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

The Project will provide a development with a range of dwelling unit options, as well as nonresidential uses, private amenity spaces, and dedicated public open space. The proposal will limit parking between the building and street along all frontages, while allowing a pickup/drop off area along Highland Avenue that has been designed to minimize curb cuts and conflict points with pedestrians.

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

Through a range of building height and modulation in massing, the Project has been designed to be compatible with the single-family neighborhoods to the east, while also maintaining the taller building heights and ground floor retail uses that line the Wisconsin Corridor to the west.

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

The Proposal will significantly increase housing opportunities in the area from the current single-family dwellings to 350 multifamily dwelling units. Given the location within the Wisconsin Avenue Corridor District that is characterized by commercial uses, and proximity to the Bethesda Metro and future BRT line, the Project will provide a balance of employment and housing opportunities.

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

The Project is on track to provide the required 100 public benefit points from a minimum of four (4) categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

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

As discussed in Finding 1.a above, the Project substantially conforms to the goals and recommendations of the 2017 *Bethesda Downtown Sector Plan*.

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 Project will provide compatible internal and external relationships between existing and pending nearby development. The proposed building height of 90 feet along Wisconsin Avenue will be compatible with the newly constructed and pending development on the west side of Wisconsin Avenue, and the proposed building height will decrease to 70 feet. The Project will provide the first section of the Eastern Greenway, approximately 70 feet in width, on the eastern portion of the block facing Tilbury Street, providing for connection to adjacent future northern Greenway sections and further enhancing the external relationship of the surrounding area. This 70-foot Greenway will be critical to the compatible transition from the new development to the existing neighborhood of East Bethesda.

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

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Several existing curb cuts serving the previous sites will be eliminated with the consolidation of the block, thereby reducing conflict points for all travel modes. Access to the on-site parking garage will occur on Highland Avenue. The final number of parking spaces will be evaluated and conditioned at the time of Site Plan. Additionally, the one-way eastbound porte cochere will provide space away from public right-of-way for rideshare access and queuing, as well as unscheduled deliveries for the residents. Loading and trash collection will occur within a consolidated curb cut on the south side of the Site on West Virginia Avenue.

All four (4) of the Site frontages will be improved to meet the 2017 *Bethesda Urban Design Standards* which will increase pedestrian safety and comfort. The consolidation of curb cuts will create a new, nearly continuous buffered sidewalk along the entire perimeter of the Site, which will be lined with street trees. As envisioned by the 2017 *Bethesda Downtown Sector Plan*, the Project also proposes to construct a 70-foot Eastern Greenway along Tilbury Street that will create public open space to serve as a buffer for the single-family neighborhood to the east. No designated bicycle facilities are master-planned along the site frontages. Based on the densities evaluated at the time of Preliminary Plan, the Project will be required to provide a minimum of 96 long-term and six (6) short-term bicycle parking spaces on site. The final number of bicycle parking spaces will be determined at the time of Site Plan.

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. Although at the time of Sketch Plan review only the categories need 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 in concept.

Table 2: 8001 Wisconsin Avenue Public Benefit Calculations

Public Benefits	Incentive Density	
	Max Allowed	Requested in Concept
59.4.7.3A: Major Public Facility		
Eastern Greenway	70	70
59.4.7.3C: Connectivity and Mobility		
Minimum Parking	20	7
59.4.7.3E: Quality of Building and Site Design		
Exceptional Design	30	30
Structured Parking	20	20
59.4.7.3.F: Protection and Enhancement of the Natural Environment		
Building Lot Terminations (BLT)	30	6

Energy Conservation	25	15
TOTAL		148

Per Section 59.4.9.2.C.4.g of the Zoning Ordinance, the Bethesda Overlay Zone increases the maximum amount of public benefit points available in certain categories. Applicable to this Sketch Plan are the Overlay Zone's increase in maximum points available for Minimum Parking (from 10 to 20 maximum points), Exceptional Design (from 10 to 30 maximum points), Energy Conservation and Generation (from 15 to 25 maximum points).

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 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 provide 10,445 square feet towards the Eastern Greenway through a public access easement and to design and construct this section of the Eastern Greenway in coordination with Park and Planning staff. The Planning Board supports the category for only construction of the facility as land conveyance is not occurring through the proposed easement. Final points will be determined at the time of Site Plan.

Connectivity & Mobility

Minimum Parking

The Applicant requests 7 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on-site. The Planning Board supports the category at this time, with final points determined at the time of Site Plan.

Quality of Building & Site Design

Exceptional Design

The Applicant requests 30 points for building and/or site design that enhances the character of a setting. As a site receiving an allocation of Bethesda Overlay Zone density, the Project is subject to the Design Advisory Panel review, which will award points based on the quality of the design. The 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 November 21, 2021 meeting. The Planning Board supports the Applicant's request at this time, with further refinement and final points determined at the time of Site Plan.

Structured Parking

The Applicant requests 20 points for placing all parking in a below-grade structure. Points for this incentive are granted on a sliding scale, based on the percentage of total on-site spaces provided in a below-grade parking structure multiplied by 20 points. The Planning Board supports the category at this time, with final points determined at the time of Site Plan.

Protection and Enhancement of the Natural Environment

Building Lot Termination

The Applicant requests 6 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. The Planning Board supports the Applicant's request at this time, with final points determined at the time of Site Plan.

Energy Conservation & Generation

The Applicant is requesting 15 points for providing a building that exceeds applicable energy efficiency standards by 17.5%. The Planning Board supports this request at this time, with final points determined at the time of Site Plan in coordination with the Department of Permitting Services.

- 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 built in one phase.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at 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 8001 Wisconsin, Sketch Plan No. 320210050, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

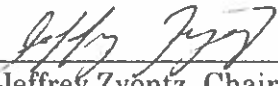
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is FEB 08 2023 (which is the date that this Resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hill, seconded by Commissioner Piñero, with a vote of 5-0; Chair Zyontz, Vice Chair Presley, and Commissioners Branson, Hill, and Piñero, voting in favor of the motion, at its regular meeting held on Thursday, February 2, 2023, in Wheaton, Maryland and via video conference.



Jeffrey Zyontz, Chair
Montgomery County Planning Board