Montgomery County Planning Board
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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DATE MAILED:

October 27, 2026

MCPB No. 26-102
Expedited Approval Plan No. E20260060
7201 Wisconsin Avenue
Date of Hearing: October 15, 2026

RESOLUTION

WHEREAS, under Section 59-7.3.5 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review expedited approval plan applications; and

WHEREAS, on August 19, 2026, 7201 Operator LLC, ("Applicant") filed an application for approval of an expedited approval plan for the construction of one (1) mixed-use multi-family residential building containing a maximum of 478,000 square feet of residential uses (up to 450 dwelling units) with 17.6% MPDUs and up to 12,000 square feet of commercial uses, including up to 252,675 square feet of density associated with the Bethesda Overlay Zone on 0.78 acres of CR-5.0, C-5.0, R-4.75, H-250' zoned-land, located at 7201 Wisconsin Avenue, northeast of Willow Lane ("Subject Property"), in the Bethesda CBD Policy Area and 2025 Bethesda Downtown Plan Minor Master Plan Amendment Plan and 2017 Bethesda Downtown Plan ("Master Plan") area; and

WHEREAS, the expedited approval plan application for the Subject Property was designated Expedited Approval Plan No. E20260060**,** 7201 Wisconsin Avenue ("Expedited Approval Plan" or "Application"); and

WHEREAS, the Application was submitted for concurrent review and approval with Forest Conservation Plan No. F20260870; 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 October 5, 2026, providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on October 15, 2026, 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 Commissioner Pedoeem, with a vote of 4-0; Chair Harris, and Commissioners Hedrick, Linden and Pedoeem voting in favor, Vice Chair Bartley was necessarily absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Expedited Approval Plan No. E20260060 for the construction of one (1) mixed-use multi-family residential building containing a maximum of 478,000 square feet of residential uses (up to 450 dwelling units) with 17.6% Moderately Priced Dwelling Units ("MPDUs") and up to 12,000 square feet of commercial uses, including up to 252,675 square feet of density associated with the Bethesda Overlay Zone on the Subject Property, subject to the following conditions:[1]

Density, Height, & Housing

1. Density
   The Expedited Approval Plan is limited to a maximum of 490,000 square feet of total development on the Subject Property, including 478,000 square feet of residential uses, for up to 450 multi-family dwelling units, including 17.6% MPDUs, and 12,000 square feet of commercial density, including up to 252,675 square feet of density associated with the Bethesda Overlay Zone.

2. Height
   The development is limited to a maximum height of 262 feet, as measured from the building height measuring point, as illustrated on the Expedited Approval Plan.

3. Bethesda Overlay Zone Density & Park Impact Payment

   The Applicant must pay to the M-NCPPC a Park Impact Payment of $2,622,190 prior to release of the first above-grade building permit for the allocation of 252,675 square feet of Bethesda Overlay Zone Density, not including 84,128 square feet of MPDU density exempt from the PIP calculation. In the event the final allocation of density from the BOZ is less than the approved amount, or if the amount of exempt MPDU density changes, the Applicant may apply to reduce the allocation of density from the BOZ, and/or modify the PIP through a minor amendment.

4. Green Cover

   a. The Applicant must provide a minimum of 35% Green Cover on the Site comprised of intensive green roof, native canopy tree plantings, and/or

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

bioretention planter boxes, as shown on the Certified Expedited Approval Plan.

b. Any green roof installed pursuant to this condition must have a minimum soil depth of eight (8) inches, unless approved by Planning Staff.

Open Space, Facilities, and Amenities

5. Public Open Space, Facilities, and Amenities

a) The Applicant must provide a minimum of 1,717 square feet of public open space (5% of net lot area) on-site.

b) Before release of any portion of the surety bond, the Applicant must construct the streetscape improvements, including the undergrounding of utilities, along the Property's frontage on Wisconsin Avenue (MD-355) and Willow Lane, consistent with the 2017 Bethesda Downtown Streetscape Standards.

c) Before the issuance of final use and occupancy certificates (excluding core and shell) for the development, all public open space areas on the Subject Property must be completed.

6. Public Benefits

The Applicant elected to use the prior Public Benefits system pursuant Section 59-4.7.1.D.1, which are found in Section 59-8.4. The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the 2017 *CR Zone Incentive Density Implementation Guidelines* for each one.

a) Connectivity between Uses, Activities, and Mobility Options
   i. Minimum Parking –The Applicant must not provide/construct more than 367 parking spaces.

b) Diversity of Uses and Activities
   i. Affordable Housing/MPDUs –
      1. The development must provide 17.6 percent MPDUs, or Montgomery County Department of Housing and Community Affairs ("DHCA") -approved equivalent, consistent with the requirements of Chapter 25A and the applicable Master Plan.
      2. Before issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.
      3. The Planning Board has reviewed and accepts the recommendations of DHCA in its letter dated October

14, 2026, and incorporates them as conditions of the Expedited Approval Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Expedited Approval Plan approval.

c) Quality Building and Site Design

i. Exceptional Design - The Applicant must maintain adherence to the Design Guidelines as recommended by the Bethesda Design Advisory Panel.

ii. Structured Parking – The Applicant must not provide more than 367 parking spaces within a below-grade structure.

iii. Tower Step-Back – The Applicant must step the building's upper floors back on Willow Lane and portions along the Wisconsin Avenue building facade as shown on the Certified Expedited Approval Plan.

d) Protection and Enhancement of the Natural Environment

i. Building Lot Terminations (BLTs) – Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment of 1.11 BLTs to the MCDPS and M-NCPPC staff.

ii. Energy Conservation and Generation – The Applicant must construct the building to exceed energy efficiency standards for the building type by 17.5%, as determined by MCDPS through the methodology established by ASHRAE 90.1 (2013) Appendix G. The energy model must be submitted to DPS with the building permit application.

7. Recreation Facilities
The Applicant must provide the required recreation facilities as shown on the Certified Expedited Approval Plan.

Environment and Noise

8. Before the issuance of the first building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that the building shell for residential dwelling units will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.

9. If any changes occur to the Expedited Plan which affect the validity of the noise analysis dated May 28, 2026, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.

10. Before issuance of any Use and Occupancy Certificate or Final Inspection, whichever is relevant, for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and Department of Permitting Services that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.

11. For all noise impacted residential dwelling units, the Applicant must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. Such notification may be accomplished by inclusion of this information and any measures to reduce the impacts in brochures and promotional documents and must be included in any noise impacted sales contracts, any illustrative site plan(s) on display within any sales related offices(s); in Homeowner Association documents; with all Deeds of Conveyance of noise impacted units; and by inclusion on all signature subdivision and expedited approval or site plans. A copy of this notification must be provided to the Planning Department and Montgomery County Department of Permitting Services, Site Plan Enforcement Section prior to the issuance of a Use and Occupancy Certificate or final inspection, whichever is relevant, for any noise impacted residential unit.

12. Stormwater Management
The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its stormwater management concept letter dated September 29, 2026, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of the Expedited Approval Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

Transportation and Circulation

13. Transportation
The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated September 16, 2026 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Expedited Approval Plan approval.

14. Before the issuance of the first above-grade building permit, the Applicant must provide the following easements by deed for the following existing roads along the Subject Property frontage:

a. Along Willow Lane, a ten-foot-wide (10 ft) public improvement easement (PIE).

b. Along Wisconsin Avenue, a three-and-a-half-foot-wide (3.5 ft) public improvement easement (PIE).

15. Pedestrian & Bicycle Circulation

a. The Applicant must provide ninety-five (95) long-term and five (5) short-term bicycle parking spaces.

i. The long-term spaces must be in secured, well-lit bicycle rooms on the first floor of the building, as shown on the Certified Expedited Approval Plan.

ii. The short-term spaces must be inverted-U racks (or approved equal) installed in the front of the building's main entrance (weather-protected preferred). The specific location of the short-term bicycle racks must be identified on the Certified Expedited Approval Plan.

16. Before the release of the right-of-way bond, the Applicant must construct the following pedestrian and bicycle facilities, the exact location, design, and construction of which must comply with requirements of the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations:

a. Willow Lane: reconfiguration of the street section, as shown in the Expedited Approval Plan Certified Set, including:

i. a ten-foot-wide (10 ft) pedestrian zone with a minimum six-foot-wide (6 ft) planting zone;

ii. an eight-foot-wide (8 ft) drop off/no parking lane;

iii. a twelve-foot-wide (12 ft) one-way vehicle travel lane;

iv. a one-and-a-half-foot-wide (1.5 ft) bike separator;

v. an eight-foot-wide (8) two-way separated bike lane facility; and

vi. an ADA-compliant curb ramp, aligned with a high-visibility crosswalk, connecting to the existing curb ramp to the other side of Willow Lane.

b. Wisconsin Avenue: a ten-foot-wide (10 ft) pedestrian zone with a six-foot-wide (6 ft) planting zone, as shown in the Expedited Approval Plan Certified Set.

17. APF Validity

The Adequate Public Facilities Review (APF) will remain valid for five (5) years from the initiation date in Section 50-4.3.J.5 of the County Code.

18. Fire and Rescue
The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated September 24, 2026, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Expedited Approval Plan approval.

Expedited Plan

19. Site Design
The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets A-004 through A-006 of the submitted architectural drawings, as determined by M-NCPPC Staff.

20. Lighting

a. Before certification of the Expedited Approval Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Expedited Approval Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).

b. Any lighting changes as a result of utility company or contractor installation will require a new lighting certification from a qualified professional that the design conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations.

c. All onsite down-lights must have full cut-off or BUG-equivalent fixtures.

d. Deflectors will be installed on proposed fixtures to prevent excess illumination and glare.

e. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by street lights within the right-of-way.

f. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Expedited Approval Plan.

g. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Expedited Approval Plan.

21. Surety and Maintenance Agreement
Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate (excluding core and shell), whichever comes first, the Applicant must enter into a Surety and Maintenance Agreement with the Planning Board in a form approved by M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

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

    b. The cost estimate must include applicable elements only for facilities located on the Property (not in the public r.o.w.), including, but not limited to plant material, on-site lighting, site furniture, trash enclosures, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and streetlights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.

    c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

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

23. Validity
Per Section 59-7.3.5.H of the Zoning Ordinance, the Applicant must have a building permit application accepted by MCDPS that includes the core and shell of the principal building within two years of the date of the Planning Board Resolution approving the Expedited Approval Plan. Within two years of MCDPS accepting the building permit application, the Applicant must obtain the building permit. The deadlines may be extended, with Planning Board approval, by up to 18 months. If the Applicant fails to comply with any of the deadlines in this condition, the entire Expedited Approval Plan approval is revoked but may be reinstated by the Planning Board as allowed under Section 59-7.3.5.H.6.

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

    a. The Applicant must vacate the previously approved Project Plan (No. 919830040) and Site Plan (No. 819840040).

    b. Include the stormwater management concept approval letter, development program, and Expedited Approval Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).

    c. Add the following notes:

        i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”

        ii. “Minor modifications to the limits of disturbance shown on the Expedited Approval Plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”

        iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Expedited Approval Plan conformance and compliance, upon approval of the Certified Expedited Approval Plan. The pre-con must occur before any site development work commencement and before any work that is covered by the surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS Staff. A copy of the approved Certified Expedited Approval Plan along with any subsequent amendments is required to be on-site at all times.”

        iv. “Specified site furniture, materials, plants, and other site plan elements may be substituted with equivalent alternatives (of same or better quality), through coordination with planning department staff, without requiring a an expedited approval plan amendment if the changes do not alter conditions of approval or required findings.”

    d. Include approved Fire Department Access Plan.

    e. Modify data table to reflect development standards approved by the Planning Board.

        i. Modify the calculations for the vehicle parking spaces and remove any reference to restaurant uses.

ii. Modify the calculations for the bicycle parking spaces.

f. Ensure consistency of all details and layout between Site and Landscape plans.

g. Show noise impacted units and expand discussion of noise mitigation techniques

h. Include a Recreation Plan delineating location and detail of the recreation facilities, where appropriate, in a manner that is clear and corresponds to the posted surety and maintenance agreement.

i. Demonstrate that each recreational element proposed in the Recreation Plan satisfies the relevant specifications in the M-NCPPC Recreation Guidelines.

j. Include pedestrian walkways and crosswalks on all levels of the parking garage to ensure safe and adequate pedestrian access into and out of the Site.

k. Modify the vehicle parking breakdowns to match and revise the illustrated parking spaces in the architectural drawings on all levels of the parking garage.

l. Provide separate exhibits for levels G2, G3, and G4 to illustrate the specific layout of each vehicle parking floor.

m. Provide the required minimum width for the short-term bicycle parking spaces, as required under Section 6.2.6.A.1.b. of the Montgomery County Zoning Ordinance.

n. Modify and revise the long-term bicycle parking exhibits to match the proposed room layout illustrated in the architectural drawings.

o. Extend the median between the parking garage and the loading area entrances up to the street pavement along the Property's frontage on Willow Lane. If necessary, the Applicant can use a mountable curb for the median extension.

i. The median will be flush at grade to pedestrian level to allow safe and adequate circulation.

p. Construct the curb radii to the left of the entrance of the parking garage to a maximum of ten (10) feet.

q. Illustrate the proposed pedestrian improvements at the intersection of Willow Lane and Wisconsin Avenue along the Property's frontage, as conditioned.

r. Provide circulation drawings for all levels of the parking garage, illustrating vehicle, pedestrian, and bicyclist circulation, as applicable.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of 7201 Wisconsin Avenue, Expedited Approval Plan No. E20260060, submitted via ePlans to the 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 having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The development satisfies any previous approval that applies to the site, unless exempt under the applicable use section or amended.*

   This Application seeks to replace and supersede the previous Project Plan No. 919830040 and Site Plan No. 819840040 as they relate to the Property. The Project will comply with the accompanying FCP No. F20260870.

2. *The development satisfies the applicable use and development standards and general requirements of this Chapter.*

   Use Standards
   This Project satisfies the requirements for a Commercial to Residential Reconstruction use, as set forth in Section 59-3.3.2.B.3 of the Zoning Ordinance. The Application incorporates a Commercial to Residential Reconstruction use, which is permitted in the CR Zone per Section 59-3.1.6 of the Zoning Ordinance. Section 59-3.3.2.B.1 defines a Commercial to Residential Reconstruction use as "a vacant building that is at least 2 stories high and is converted to or demolished and rebuilt as a residential building that qualifies as . . . Multi-Unit Living under Section 3.3.1.E." Additionally, the section states that in Commercial / Residential zones, "vacancy is defined as a building that has no tenants in at least 50% of the building at the time of application and qualifies as an Office use under Section 3.5.8.B . . ." Furthermore, because the Property is in a red policy area, the new building must be an Apartment Building type that satisfies Section 59-4.1.3.D pursuant to 59-3.3.2.B.3.b.

   The Subject Property is currently improved with a seven story office building with a vacancy rate of 55.8% at the time of the filing of the Application, thus satisfying the vacancy standard as certified via an affidavit by the Owner and submitted with the Application and attached as Attachment G to the Staff

Report. The Applicant will raze the existing office building and construct a new mixed-use residential building with multi-family high rise dwelling units, which qualifies as an Apartment Building. Section 59-3.3.2.B.3.d allows for up to 30% of the gross floor area to be commercial uses on the Subject Property; the Applicant's proposed 12,000 square feet of ground retail falls within the allowable 30% of the total density proposed (up to 490,000 square feet).

a.

i. *Commercial FAR limits on the subject property may be reallocated to residential FAR if the total FAR does not exceed the maximum total mapped FAR of the property and the building height does not exceed the maximum mapped height, including any increases in each allowed by this Chapter.*

This provision is inapplicable to the Project, as the Property is located within the BOZ and is therefore governed by the density regulations set in Section 59-4.9.2.C of the Zoning Ordinance. Additional residential density will come from payment of the PIP.

ii. *In a red policy area, Commercial to Residential Reconstruction must be in an Apartment Building type that satisfies Section 4.1.3.D.*

The Property is located in a Red Policy Area, and the Project satisfies the required building type by proposing a multi-family apartment building.

iii. *If not in a red policy area, Commercial to Residential Reconstruction must be in a Townhouse building type that satisfies Section 4.1.5.C. or in an Apartment Building type that satisfies Section 4.1.3.D.*

The Subject Property is within a red policy area, therefore this provision is not applicable.

iv. *Gross floor area of all non-residential uses is limited to 30% of the gross floor area on the subject site.*

The Project proposes up to 12,000 square feet of retail on the ground floor, which is under the 30% limit.

b. Development Standards

The Application satisfies the relevant development standards in the Zoning Ordinance, as shown in the table below.

Table 1: 7201 Wisconsin Avenue Data Table for CR Zone, Optional Method, Section 59-4.5.4

Development Standard	Permitted/ Required	Proposed
Tract Area	n/a	47,465 sq. ft
Site Area	n/a	34,345 sq. ft.
Mapped Density (CR-5.0, C-5.0, R-4.75, H-250)		
Residential (GFA/ FAR)	225,459 sq. ft. / 4.75 FAR	225,459 sq. ft. / 4.75 FAR
Commercial (GFA/ FAR)	237,325 sq. ft. / 5.0 FAR	12,000 sq. ft. / 0.25 FAR
Density Above Base (BOZ Density)	n/a	264,541 sq. ft. / 5.32 FAR
Total Density (GFA/FAR)	237,325 sq. ft. / 5.0 FAR	490,000 sq. ft. / 10.32 FAR
Maximum Building Height	250 feet	262 feet[2]
Principal Building Setbacks (min.)		
Front	0 ft.	8 ft.
Side	0 ft.	0 ft.
Sum of Side	0 ft.	0 ft.
Rear	0 ft.	15 ft. (alley)
MPDUs (min.)	12.5%	17.6%
Public Open Space	5% (1,717 sq. ft.)	5% (1,725 sq. ft.)
Vehicle Parking		
Multifamily Dwelling Units	n/a[3]	367 spaces
ADA Standard Spaces	6 spaces	6 spaces
ADA Van Spaces	2 spaces	2 spaces
Retail	n/a	n/a
Bicycle Parking		
Multifamily Residential	Min. 0.50 sp/unit, max 100 sp/ building	100 (95 long-term, 5 short-term)
Retail	Min. 1 sp/10,000 sq. ft. GFA	1 (1 short-term)

The Bethesda Overlay Zone (BOZ) was adopted July 18, 2017, specifically to implement the recommendations of the Bethesda Downtown Sector Plan as it relates to density, building heights, affordable housing, parks, and design. An applicant can request an allocation of density over the base density to build to the maximum height permitted by the Zone, as needed. Typically, an Applicant is subject to a Park Impact Payment valued at $15.57/square foot based upon the density requested and this payment is used to facilitate acquisition of parkland in the downtown Bethesda area.

[2] This project is eligible for an additional floor (12 feet) of building height through the provision of a minimum of 17.6% MPDU's per Section 59-4.5.2.C.7 and 59-4.9.2.3.b

[3] Per Code Section 59-6.2.3.I.8, residential uses within a half mile of a Metro station are exempt from the baseline parking minimum

Based on the requested 264,541 square feet of BOZ density, reduced by 84,128 square feet of MPDU density , the Applicant is required to pay for 168,547 square feet of BOZ density at a value of $2,622,190. ((264,541 BOZ density – 12,000 commercial FAR) – 84,128 MPDU Density) * 15.57 = $2,622,190.41

c. *Optional Method Public Benefits*

In accordance with the Zoning Ordinance, Section 59-4.7.1, the Expedited Approval Plan proposes 116 public benefit points in seven (7) categories to satisfy the requirements. Pursuant to Section 59-4.7.1.D.2, the Applicant is electing to process the Plan under the prior public benefit point requirements (Division 59-8.4).

Table 2: Public Benefit Calculations- Division 59-8.4

Public Benefit	Maximum Points Allowed	Proposed
Connectivity and Mobility		
Minimum Parking	10	4.73
Diversity of Uses and Activities		
Moderately Price Dwelling Units	N/A	41.67
Quality Building and Site Design		
Exceptional Design	20	20
Structured Parking	20	20
Tower Step-Back	10	5
Protection and Enhancement of the Natural Environment		
Building Lot Terminations (BLT)	30	9.99
Energy Conservation and Generation	15	15
Total Points	**100 (required)**	**116**

Bethesda Overlay Zone increases the maximum amount of public benefit points available in certain categories. Applicable to this Plan is the Overlay Zone's increase in maximum points available for Exceptional Design (from 10 to 20 maximum points).

Connectivity And Mobility

Minimum Parking

The Project will provide fewer than the maximum number of parking spaces under the Zoning Ordinance (as modified by the BOZ). A maximum of 697 parking spaces are permitted for the Project, and there is no parking minimum required. The Applicant is proposing approximately 367 on-site parking spaces, which yields approximately 4.73 public benefit points based on the formula:(697-

367) ÷ (697 - 0)) * 10 = 4.73). Therefore, the Applicant anticipates achieving 4.73 points in this category and the Board approves this request.

Diversity Of Uses And Activities

Moderately Priced Dwelling Units

The project proposes up to 450 units, 15% of which must be MPDUs (68 units). Any fraction of 1% increase in the number of units above the percentage required provides the Applicant a portion of 15 points. The Applicant is providing up to 80 units as MPDU's, which yields a 17.78% of the 450 total units, 2.78% above the minimum required. Therefore, the Applicant is requesting 41.67 public benefit points (2.78%*15% = 41.67 points) for the additional MPDUs and the Board approves this request.

Quality Building And Site Design

Exceptional Design

The design of the Project fulfills the identified criteria in the *2017 CR Zone Incentive Density Implementation Guidelines* as well as various recommendations of the Sector Plan and *Bethesda Downtown Plan Design Guidelines*. The Applicant is seeking 20 public benefit points for exceptional design with justification outlined in its submission to the Design Advisory Panel for the July 8, 2026 meeting.

Through incorporation of the Sector Plan recommendations and Design Guidelines, the Project strengthens the center of activity at the heart of the Wisconsin Avenue Corridor, promotes a diversified mix of housing in downtown through conversion of office space to mixed-use multi-family development, adds residential density to immediately adjacent public transportation, and creates a signature residential tower that is scaled to and engages the pedestrian experience. The Planning Board approves these 20 points.

Structured Parking

The Project will include structured parking, with approximately 367 below-grade spaces provided in a parking garage that serves the multi-family units. Based upon the formula provided in the CR Zone Incentive Density Implementation Guidelines ([(0 spaces/367 spaces) * 10] + [(367 spaces/330 spaces)] * 20 = 20 points), the Project is entitled to 20 points in this public benefit category, which the Planning Board approves.

Tower Step-Back

The Project proposes step backs along Willow Lane and portions along the Wisconsin Avenue building façade with the following dimensions: On Willow Lane, the facade above the 4th floor steps back 5'-0" from the first-floor facade; from the 5th to 19th floor, the façade steps back an additional 7'-0", creating a total 12'-0" step back from the first-floor facade. On Wisconsin Avenue, the facade has 3 step-backs, at the 4th floor, the façade steps back up to 5'-0" from the first-floor facade; at the 6th floor, the façade steps back up to 4'-0" from the first-floor façade; and at the 19th floor, the façade steps back up to 9'-6" from the first-floor facade. Final step-backs to be shown on the Certified Expedited Approval Plan. The project is eligible for approximately 5.00 public benefit points for tower step-backs. The Planning Board approves this request.

Protection And Enhancement Of The Natural Environment

Building Lot Terminations (BLT)

The Applicant anticipates implementing up to 34,970 square feet of incentive density. Since BLT easements must be provided on 7.5% of the Project's incentive density, the Applicant will be required to make a partial payment for 1.11016 BLT easements to the County's Agricultural Preservation Fund, which results in approximately 9.99 public benefit points (1.11016 x 9 = 9.99 points). The Planning Board approves this request.

Energy Conservation and Generation

The Project will incorporate high efficiency building materials and mechanical systems to exceed the ASHRAE 90.1 standard by at least 17.5 percent which results in 15 public benefit points. The Planning Board approves this request.

d) General Development Standards

v. ***Division 6.1 Site Access***

The Site will retain the existing curb cut along Willow Lane to allow vehicle access to the existing underground parking garage, which will be retained. The curb cut will have a width of 20 feet and will allow ingress and egress for residents and customers of the retail space. The median between the parking garage curb cut and the loading area will be extended and flushed (to pedestrian level) to allow safe circulation throughout the area.

Pedestrian circulation around the Site will also be enhanced. As part of this Project, the Applicant is responsible for upgrading the existing pedestrian facilities along Willow Lane to a ten-foot-wide (10 ft) pedestrian zone separated from traffic by a six-foot-wide (6 ft) planting zone with trees. Along Wisconsin Avenue, the Applicant is also responsible for constructing a ten-foot-wide (10 ft) pedestrian zone separated from traffic by a six-foot-wide (6 ft) planting zone with trees. These frontage improvements are sufficient to fulfill all the requirements for these streets under the 2017 *Bethesda Downtown Plan Design Guidelines*.

The existing separated bike lane along Willow Lane will also be reconfigured as part of this Project. The Applicant is proposing a drop-off/pick-up area of eight (8) feet in width along Willow Lane, but the MCFRS needs a 20-foot clearance for operational purposes. To achieve the required clear pavement width, the Applicant will narrow the existing bike separator to one-and-a-half (1.5) feet and the existing two-way separated bike lane facility to eight (8) feet in width. This will enable the Applicant to accommodate a 12-foot-wide vehicle travel lane, in addition to the eight (8) feet of the drop-off/pick-up area, for a total pavement width of 20 feet. The drop-off/pick-up area will be labeled as a “no parking” zone to ensure clearance of the space at all times.

vi. **Division 6.2 Parking, Queuing and Loading**
Vehicle and Bicycle Parking

The Site is located within half a mile of a Metro station. Thus, the Applicant is exempt from providing the baseline minimum for vehicle parking under Section 59-6.2.3.I.8 of the Zoning Ordinance. However, it is required to provide at least six (6) short-term and 95 long-term bicycle parking spaces, following Section 59-6.2.4. of the Zoning Ordinance. As part of this Project, 367 vehicle parking spaces and six (6) short-term and 95 long-term bicycle parking spaces are being provided. Thus, the Proposed Development meets all parking requirements.

All of the vehicle parking spaces will be located in the existing parking garage. The parking garage will have five (5) levels.

Accessible, standard, and compact vehicle parking spaces will be distributed amongst these five (5) levels. The driving aisles in all five (5) levels will be no less than 20 feet in width.

The short-term bicycle parking spaces will be provided using three (3) inverted U-Racks, located in front of the main entrance of the building along Wisconsin Avenue. The long-term bicycle spaces will be located inside the first floor of the building, following all specifications under Section 59-6.2.6. of the Zoning Ordinance.

Loading Requirements

Under Section 59-6.2.8. of the Zoning Ordinance, the Applicant is also required to provide one (1) loading space. As part of this Application, the loading space will be located toward the back of the building accessed from an alley, leaving pedestrian and bicyclist facilities, streets, and public right-of-way undisturbed. The loading area will be ten feet wide (10 ft), 30 feet long, and 14 feet high, and will have sufficient space for trucks to be able to turn and exit the Site safely. Trash operations will also occur in this area.

vii. **Division 6.3 Open Space**

Pursuant to Section 59-4.5.4.B of the Zoning Ordinance, given the size of the Property and number of right-of-way frontages, the Project is required to provide 5% of the net lot area as public open space (or approximately 1,725 square feet). The required open space will be provided along Project's Willow Lane and Wisconsin Avenue frontages. In addition, green roof areas will include tree canopy, planting beds, and bioretention facilities.

Along Willow Lane, the Project will implement the canopy corridor streetscape envisioned by the Design Guidelines by providing a six-foot planting zone, a ten-foot pedestrian through zone, and an additional six- to nine-foot frontage zone that can accommodate supplemental green space and a double row of trees. The landscaped areas along the Project's Wisconsin Avenue and Willow Lane frontages may also support outdoor dining

opportunities, further activating and enhancing the pedestrian realm.

Section 59-6.3.9 of the Zoning Ordinance requires that any development containing 20 or more dwelling units must offer recreational facilities in accordance with M-NCPPC's Recreation Guidelines. The Project provides ample recreational amenities consistent with the Recreation Guidelines including outdoor dog run areas, rooftop amenity space, interior amenity space, and interior courtyard space. A recreation and amenity analysis, as required by M-NCPPC's Recreation Guidelines and the CR Zone, was submitted concurrently with this Application.

viii. **Division 6.4 General Landscaping and Outdoor Lighting**

Landscaping and lighting, as well as other site amenities, will be provided to ensure that the Project is safe, adequate, and efficient for residents and visitors to the Project. The public open space and private amenity areas will incorporate landscaping and lighting to provide a high-quality outdoor environment.

All proposed trees and plant materials meet the minimum required caliper and height at the time of planting, and some of the site landscaping elements contribute to stormwater management measures (where approved by MCDPS).

The Site illumination levels, energy efficiency, and pole mounted height meet the minimum standards to ensure visibility and public safety, and enhance the building's architecture, and spaces adjacent to the building for pedestrian and bicycle usage.

The Expedited Approval Plan requires outdoor lighting on private property, along the public rights-of-way, and within surface parking areas via pole-mounting fixtures. Wall mounted lights will be placed at the building's entrances.

ix. Division 6.5 Screening

These screening requirements are not applicable, as this is an Optional Method Project and Division 6.5 applies only to standard method projects.

3. The development satisfies the applicable requirements of:

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

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on September 29, 2026. The Application will meet stormwater management requirements using green roof and micro-bioretention.

b. Chapter 22A, Forest Conservation

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for Forest Conservation Plan No. F20260870.

Noise Analysis
A Transportation Noise Impact Analysis was prepared by Phoenix Noise & Vibration, LLC for the Property due to its location along Wisconsin Avenue. The results of the Noise Impact Analysis were provided in a report dated May 28, 2026. A noise analysis is necessary to demonstrate conformance with the 1983 Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development ("Noise Guidelines") by determining the projected interior and exterior noise levels and whether or not mitigation for residential units and outdoor recreational areas is required. The Noise Guidelines stipulate a 65 dBA Ldn maximum noise level for outdoor recreation areas and 45 dBA for indoor areas.

The results of the analysis for this Property indicate that future unmitigated traffic noise levels above 65 dBA Ldn will impact the proposed residential building facades upon the lower floor living units nearest Wisconsin Avenue where noise levels will reach up to 71 dBA Ldn.

To reduce the noise levels due to traffic to 45 dBA or lower in every room with the 2-dBA margin for error, these impacted living units require further analysis and may require modifications to the proposed standard building construction. Modifications will likely be limited to increased window/door STC ratings, with slight upgrades to the exterior walls possible. As conditioned, further analysis is required to determine the exact mitigation designs necessary, which will be established once architectural plans (building elevations, window/door schedule, unit plans) are further developed.

4. *The development provides safe, well-integrated parking, circulation patterns, building massing, and site amenities.*

The Project provides safe, efficient, and adequate pedestrian, bicyclist, and vehicle access into and out of the Site, as discussed in the sections above. Similarly, as previously explained, vehicle parking for the Site will be provided in the existing underground parking garage. Bicycle parking for visitors is provided in the main entrance of the building along Wisconsin Avenue, and for residents in a bicycle room located on the first floor of the building.

5. *The development substantially conforms with the intent of the applicable master plan, existing and approved or pending adjacent development, the requirements of this Chapter, and any guidelines approved by the Planning Board that implement the applicable plan.*

<u>General Recommendations:</u>

The Sector Plan recommends “encouraging mixed-use development to allow development to adapt to market conditions” (see Sector Plan pg. 14). The Project addresses this recommendation by redeveloping this underutilized, mostly vacant office building into a vibrant mixed-use building. In doing so, the Project contributes to the County’s need for diverse housing options and provides strategic ground-floor retail to activate the Property’s corner.

The Sector Plan also recommends providing a minimum of 35% green cover on private property to facilitate an urban green ecosystem (see Sector Plan pg. 15). The Project intends to provide 35% green cover through a combination of methods, including tree canopies, planting beds, and green roofs.

<u>Specific Recommendations:</u>

The Property is located within the Wisconsin Avenue Corridor. The Sector Plan identifies the Wisconsin Avenue Corridor as “the main artery through the center

of Downtown Bethesda" and "a critical focus area for improved access, mobility, and pedestrian safety" due to the existing Bethesda Metrorail Station and future Purple Line and bus rapid transit ("BRT") options (see Sector Plan pg. 96).

The Sector Plan recognizes that the Wisconsin Avenue Corridor is primarily a commercial area and envisions the corridor as "a symbolic downtown center that reflects the character of adjacent neighborhoods and overall identity of Bethesda through innovative building designs and active public spaces." (See pg. 96). The Project, as a transitional mixed-use development, demonstrates harmony between a modern building that will reintegrate into the Wisconsin Avenue frontage and connect with nearby public spaces such as the Farm Women's Market Civic Green and Elm Street Urban Park.

The Sector Plan recommends an emphasis on mixed land uses that are focused on employment and high-density residential (pg. 97). The Project directly advances this recommendation by providing a high-density residential development that includes various unit designs, including 17.6% MPDUs. The Sector Plan also recommends new civic gathering spaces, including the Farm Women's Market Civic Green. (pg. 97). As the neighboring property to the future civic green, this Project intends its design to complement and connect with the public space through streetscape improvements and ground-floor activation.

In furtherance of this connection between the Project and future civic green, the Project also addresses urban design recommendations of the Sector Plan. The Sector Plan recommends providing a planting and furnishing buffer between sidewalks and street traffic, along with ensuring a clear pedestrian pathway to create a green, active, and walkable sidewalk that balances pedestrian and retail activity with vehicular and BRT traffic (pg. 103). The Project advances this recommendation by providing street trees and additional plantings, with further details as shown on the Certified Expedited Approval Plan.

The Sector Plan also recommends providing varied building articulation, such as step-backs, glazing, and material changes (pg. 104). The Project accounts for this recommendation by employing step-backs to provide a human-scaled building edge along the street, especially the Property's Willow Lane frontage. The proposed building also includes undulating tower step-backs at approximately the 5th, 7th, 19th, and 23rd floors. In this way, the step-backs create a visual transition from the higher intensity commercial roadway that is Wisconsin Avenue with lower heights facing Willow Lane, fostering compatibility with the surrounding area.

6. *If on a property in a master plan area that requires staging based on Non-Auto Driver Mode Share (NADMS), the development is exempt from the staging requirement if:*
    a. *the applicant agrees to enter into a Transportation Demand Management plan that provides an action plan for substantial achievement of the applicable NADMS goal;*
    b. *parking below the minimum required under Section 6.2.4 is provided; and*
    c. *transit, bicycle, and pedestrian infrastructure required by the applicable stage of the master plan is funded in the Capital Improvements Program or Consolidated Transportation Program or provided by the applicant.*

    Not Applicable to this Application.

7. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

    Local Area Transportation Review (LATR)
    The Site is located within the Bethesda Chevy Chase Policy Area, which is a Red Policy Area under the 2024-2028 Growth and Infrastructure Policy (GIP). The previous use on the Site was 130,470 SF of general office and 25,789 SF of retail space. The proposed 450 high-rise residential units are estimated to generate a net decrease of 141 motor vehicle trips in the morning peak hour and a net decrease of 109 motor vehicle trips in the evening peak hour. The GIP requires a Transportation Impact Study (TIS) for any project that is estimated to generate a net increase of 30 or more motor vehicle trips in either the morning or evening peak hours. As that is not the case for this Application, the LATR review is satisfied with a transportation exemption statement. A summary of the trip generation analysis is provided in Table 3 below.

Table 3: Trip Generation Analysis

Use	Quantity	AM ITE Vehicle Rates	PM ITE Vehicle Rates	AM Adjusted Policy Area Rates	PM Adjusted Policy Area Rates
Existing General Office Building ITE-710	130,470 SF	166	160	120	115
Existing Strip Retail Plaza (<40k) ITE-822	25,789 SF	101	145	73	104
Proposed Multifamily Housing (High-Rise) ITE-222	450 units	90	117	52	68
			Net Change	**-141**	**-109**

Source: Transportation Exemption Statement from Galloway, May 12, 2026, modified by staff.

Schools

School Impact Area Classification

The Subject Property is located within the Bethesda CBD Policy Area, which is categorized as an Infill Impact Area by the 2024-2028 Growth and Infrastructure Policy.

Annual School Test Results

The results of the FY2027 Annual School Test, approved by the Planning Board on June 25, 2026 and effective since July 1, 2026, are applicable.

The FY2027 Annual School Test evaluates for the 2030-2031 school year, during which the Property will be served by Rosemary Hills/Chevy Chase Elementary School, Silver Creek Middle School, and Bethesda-Chevy Chase High School. The enrollment and capacity projections of these schools reflected in the FY2027 Annual School Test and the default Utilization Premium Payment (UPP) tier placements are shown in Table 4.

Table 4. FY2027 Annual School Test Projections (2030-2031 School Year) & UPP Tier Placements

	Program Capacity	Enrollment	Utilization Rate	Seat Surplus or Deficit	UPP Tier Placement
Rosemary Hills/Chevy Chase ES	1,007	912	90.6%	+95	No UPP
Silver Creek MS	915	748	81.7%	+167	No UPP
Bethesda-Chevy Chase HS	2,475	2,238	90.4%	+237	No UPP

Based on the FY2027 Annual School Test results above, the school service areas of the Project are not placed in any UPP tiers by default. A payment will be triggered however if the project's enrollment impact estimate exceeds an adequacy ceiling of a school shown in Table 5.

Table 5. FY2027 Annual School Test Adequacy Ceilings

	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Rosemary Hills/Chevy Chase ES	169	297	448
Silver Creek MS	287	350	488
Bethesda-Chevy Chase HS	397	732	1,104

Enrollment Impact Estimate

Table 6 shows the project's enrollment impact estimate calculation based on the School Impact Area classification and net residential units proposed, using the FY2026-2027 Student Generation Rates.

Table 6. Student Enrollment Impact Estimate (reflects FY2026-2027 Student Generation Rates)

Type of Unit	Net Number of Units	Infill ES Student Generation Rate	ES Student Estimate	Infill MS Student Generation Rate	MS Student Estimate	Infill HS Student Generation Rate	HS Student Estimate
MF High-rise	450	x 0.039	= 17.550	x 0.016	= 7.200	x 0.020	= 9.000
TOTAL (rounded down)			17		7		9

The enrollment impact of the proposed units during an average year throughout the life of this project is estimated to be 17 elementary school students, 7 middle school students, and 9 high school students. This does not exceed the adequacy ceilings identified in Table 5. Therefore, a UPP is not required.

Other Public Facilities and Services

The Property is served by public water and sewer and is classified in the W-1 and S-1 categories. Public water and sewer mains currently serve the Property, which will be adequate to serve the proposed development.

Dry utilities including electricity, gas, and telephone are also available to the Property. Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Growth and Infrastructure Policy currently in effect.

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

BE IT FURTHER RESOLVED that this Expedited Approval Plan shall remain valid as provided in Montgomery County Code § 59-7.3.5.H; 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

October 27, 2026

(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 consistent with the Maryland Rules for the judicial review of administrative agency decisions.

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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 the motion of Commissioner Linden, seconded by Commissioner Hedrick, with a vote of 3-0-1; Chair Harris and Commissioners Hedrick and Linden, voting in favor of the motion, Commissioner Bartley abstaining, and Commissioner Pedoeem was necessarily absent, at its regular meeting held on Thursday, October 22, 2026, in Wheaton, Maryland and via video conference.

Artie L. Harris, Chair
Montgomery County Planning Board

Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department