



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB

Item #3

7/31/2008

Staff Report: Adequate Public Facilities finding for the Greenbank Building, Building Permit No. 485344 at 4834 Cordell Avenue and No. 485346 at 8008 Woodmont Avenue, Bethesda

CONSENT ITEM #: 3

MCPB HEARING DATE: July 31, 2008

REPORT DATE: July 21, 2008

TO: Montgomery County Planning Board

VIA: Daniel K. Hardy, Acting Chief
Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Planner Coordinator
Transportation Planning
301.495.4525



APPLICATIONS DESCRIPTION: Adequate Public Facilities (APF) finding for two (2) building permit applications to construct a proposal general retail building of 9,616 square feet which is located in the southwest quadrant of the intersection of Woodmont Avenue and Cordell Avenue in the *Bethesda CBD Sector Plan* in the CBD-2 zone.

APPLICANT: Greenhill Realty Company

FILING DATE: Commercial Building Permits filed on May 15, 2008

RECOMMENDATION: Approval of the Adequate Public Facilities finding for the transportation-related requirements for M-NCPPC release of two (2) building permit applications to the Montgomery County Department of Permitting Services, contribution to the Bethesda CBD Parking Lot District, and approval of the attached draft Planning Board Resolution for the approval of the transportation APF finding.

EXECUTIVE SUMMARY: This Consent Agenda item is the APF finding for Building Permit No.485344 located at 4834 Cordell Avenue, Bethesda and Building Permit No. 485346 located at 8008 Woodmont Avenue, Bethesda. These applications have been reviewed by Planning Board staff, who have collectively responded in support of this amendment.

SITE VICINITY

The site is located in the southwest quadrant of the intersection with Woodmont Avenue and Cordell Avenue in the Bethesda CBD. The property is included within the *Bethesda CBD Sector Plan* (refer to Figure 1 below).



Figure 1: *Vicinity Map*

The property, Lot 591, is zoned CBD-2 and is 6,693 square feet or 0.159 acres in size. Lot 591 was recorded in the land records as Record Plat No. 165-28 (or 61-005124) in 1958 (refer to a copy of this plat on Attachment A).

The general character of the site and the surrounding built environment is an urbanized central business district.

PROJECT DESCRIPTION

Proposed Development

The applicant, Greenhill Realty Company, is proposing to construct 9,616 square feet of general retail space on Lot 591 in the Woodmont Triangle of the *Bethesda CBD Sector Plan* and Policy Area (refer to the building permit site plan on Attachment B). The proposed 9,616 square feet of retail space is less than the maximum of 9,617.2 square feet permitted in the CBD-2 zone with a FAR of 1.0.

BETHESDA CBD SECTOR PLAN

Sector Plan Parking Requirements

Lot 591 is located in the Bethesda CBD Parking Lot District and, thus, will not be providing on-site parking. The applicant will contribute to the Bethesda CBD Parking Lot District in accordance with the Montgomery County Department of Transportation, Division of Operations, Parking Operations Section.

Sector Plan Transportation Demand Management

Although the site is located within the Bethesda CBD Transportation Management District, the applicant will not be required to enter into a Traffic Mitigation Agreement to participate with the Bethesda CBD Transportation Management Organization because of the small size of the retail square footage.

ADEQUATE PUBLIC FACILITIES FINDING

Local Area Transportation Review (LATR)

The proposed general retail space of 9,616 square feet would generate six peak-hour trips within the weekday morning peak period (6:30 to 9:30 a.m.) and 25 peak-hour trips within the evening peak period (4:00 to 7:00 p.m.). A traffic study is not required because the proposed general retail space generates fewer than 30 peak-hour trips within the weekday morning and evening peak periods.

Policy Area Mobility Review

Under the current *2007-2009 Growth Policy*, the PAMR test is required because the proposed retail development generates over three (3) peak-hour trips within the weekday morning and evening peak periods. For developments located within the Bethesda CBD Policy Area, the applicant must mitigate 30% of the new peak-hour trips generated within the weekday morning and evening peak periods by the proposed land use.

However, the lower trip generation rates associated with proximity to Metrorail stations are considered part of the trip reduction credit associated with PAMR mitigation when compared to the countywide trip generation rates (higher rates). The table below depicts the difference between two sets of trip rates and how the site trip reduction is achieved to meet the PAMR requirements.

Trips Mitigated by being Conveniently Located near a Metrorail Station

Land Use	Square Feet	Peak Hour Trips	
		Morning	Evening
Starting Base Condition using Countywide Trip-Generation Rates			
General Retail Space	9,616 sq. ft.	17	68
Bethesda CBD Trip-Generation Rates			
Resultant Peak-Hour Trips from the LATR section		6	25
Reduction: Base minus Bethesda trip rates		9	43
PAMR Requirement for 30% New Site-Generated Trips		5	20
Does site meet the PAMR mitigation requirement?		Yes	Yes

Thus PAMR is satisfied simply by being located in the Bethesda CBD Policy Area.

Other Development Review Issues

1. A curb cut along Cordell Avenue and Woodmont Avenue is not proposed for an on-site loading dock.
2. The existing sidewalks are at least 10-foot-wide.
3. Handicapped persons are accommodated with a chairlift to access the main entrance along Woodmont Avenue.
4. The proposed development on Lot 591 does not require an environmental review.

PUBLIC NOTICE

A notice and copy of the proposed applications for building permits were sent to the adjacent property owners of record by the Applicant on June 11, 2008. The File of Record has been supplied with a copy of the Notice of Applications. The notice gave the interested parties 15

days to review and comment on the contents of the APF finding for the retail space proposed shown on the plan for the two (2) building permits. Staff did not receive any comments from the parties of record for the proposed applications during this period.

RECOMMENDATIONS

Staff recommends approval of the following:

1. The APF finding for transportation-related requirements for the proposed general retail space of up to 9,616 square feet on recorded Lot 591.
2. The applicant contribution to the Bethesda CBD Parking Lot District in accordance with the Montgomery County Department of Transportation, Division of Operations, Parking Operations Section.
3. M-NCPPC's release to the Montgomery County Department of Permitting Services to release of Building Permits No. 485344 and 485346.
4. The draft Planning Board Resolution (Attachment C) for the approval of the transportation APF finding.

APPENDICES

- A. Record Plat 165-28
- B. Site Development Plan submitted for the Greenbank Building Permits
- C. Montgomery County Planning Board's Adequate Public Facilities Finding for Building Permits Resolution, July 31, 2008

Attachment A: Record Plat 165-28

PLAT No 5124

MARYLAND - NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD
 Approved January 22, 1958
 Chairman: *John F. Hinkley*
 Secretary-Treasurer: *George A. Sacks*
 M.V.C.D. & P.C. RECORD FILE No. 165-28

OWNER'S DEDICATION

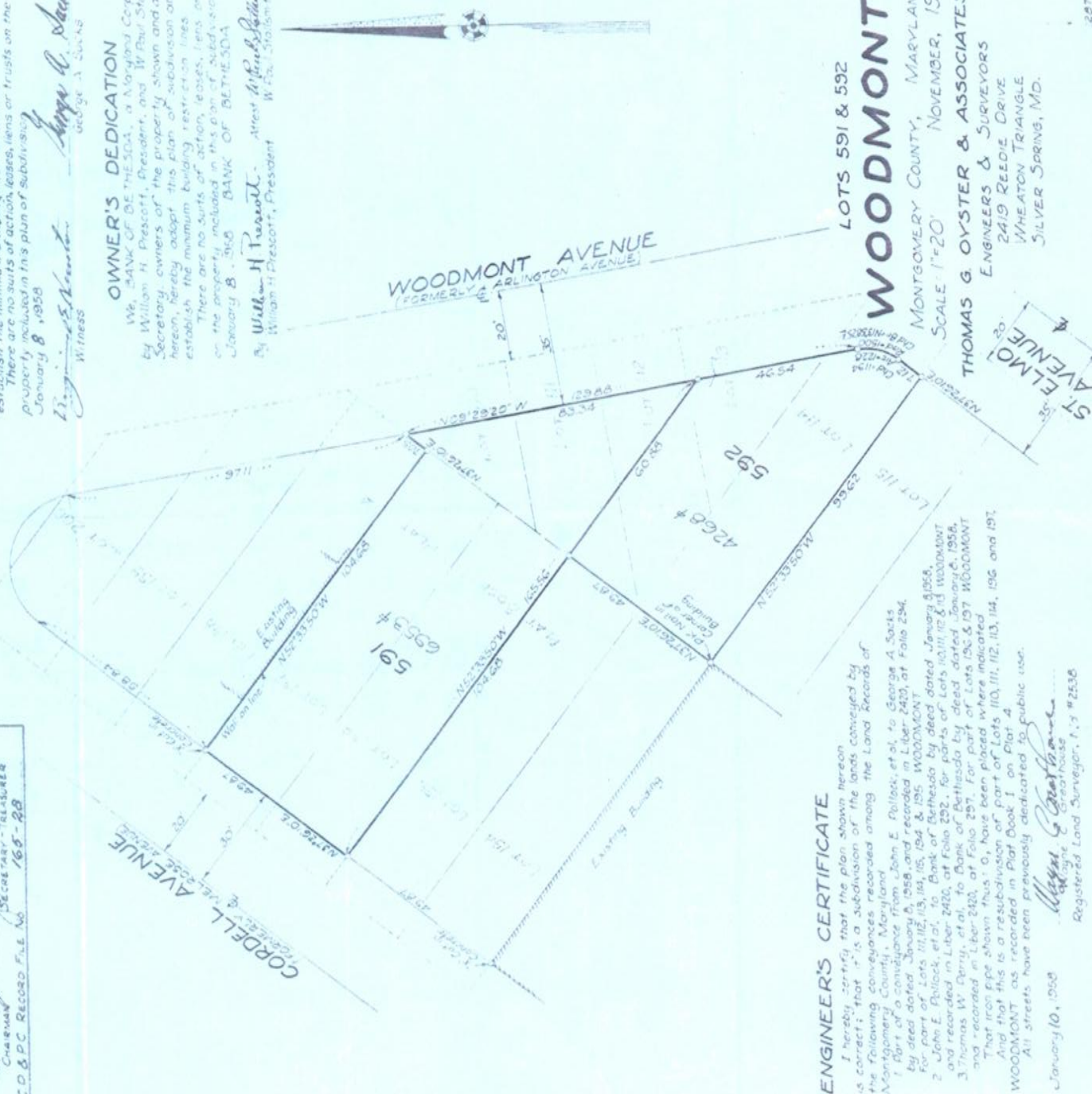
I, George A. Sacks, Owner of the property shown and described herein, hereby adopt this plan of subdivision and establish the minimum building restriction on the property included in this plan of subdivision on January 8, 1958

Witness: *George A. Sacks*
 George A. Sacks

OWNER'S DEDICATION

We, BANK OF BETHESDA, a Maryland Corporation, by William H. Prescott, President, and W. Paul Stallsmith, Secretary, owners of the property shown and described herein, hereby adopt this plan of subdivision and establish the minimum building restriction lines on the property included in this plan of subdivision on January 8, 1958 BANK OF BETHESDA

By *William H. Prescott*, President
 William H. Prescott, President
W. Paul Stallsmith, Secretary
 W. Paul Stallsmith, Secretary



ENGINEER'S CERTIFICATE

I hereby certify that the plan shown hereon is correct; that it is a subdivision of the lands conveyed by the following conveyances recorded among the Land Records of Montgomery County, Maryland:
 1. Part of a conveyance from John E. Pollock, et al, to George A. Sacks by deed dated January 6, 1958, and recorded in Liber 2420, at Folio 294.
 2. John E. Pollock, et al, to Bank of Bethesda by deed dated January 6, 1958, and recorded in Liber 2420, at Folio 292. For parts of Lots 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

That iron pipe shown thus: *(Symbol)*, have been placed where indicated. And that this is a resubdivision of part of Lots 110, 111, 112, 113, 114, 116 and 197, WOODMONT as recorded in Liber 2420, at Folio 294.
 All streets have been previously dedicated to public use.
 January 10, 1958
Walter G. Coates
 Walter G. Coates
 Registered Land Surveyor, T. 5 #2536

WOODMONT
 MONTGOMERY COUNTY, MARYLAND
 NOVEMBER, 1957
 SCALE: 1"=20'
 THOMAS G. OYSTER & ASSOCIATES, INC.
 ENGINEERS & SURVEYORS
 2419 REEDIE DRIVE
 WHEATON TRIANGLE
 SILVER SPRING, MD.

Attachment B: Site Development Plan Submitted for the Greenbank Building Permits



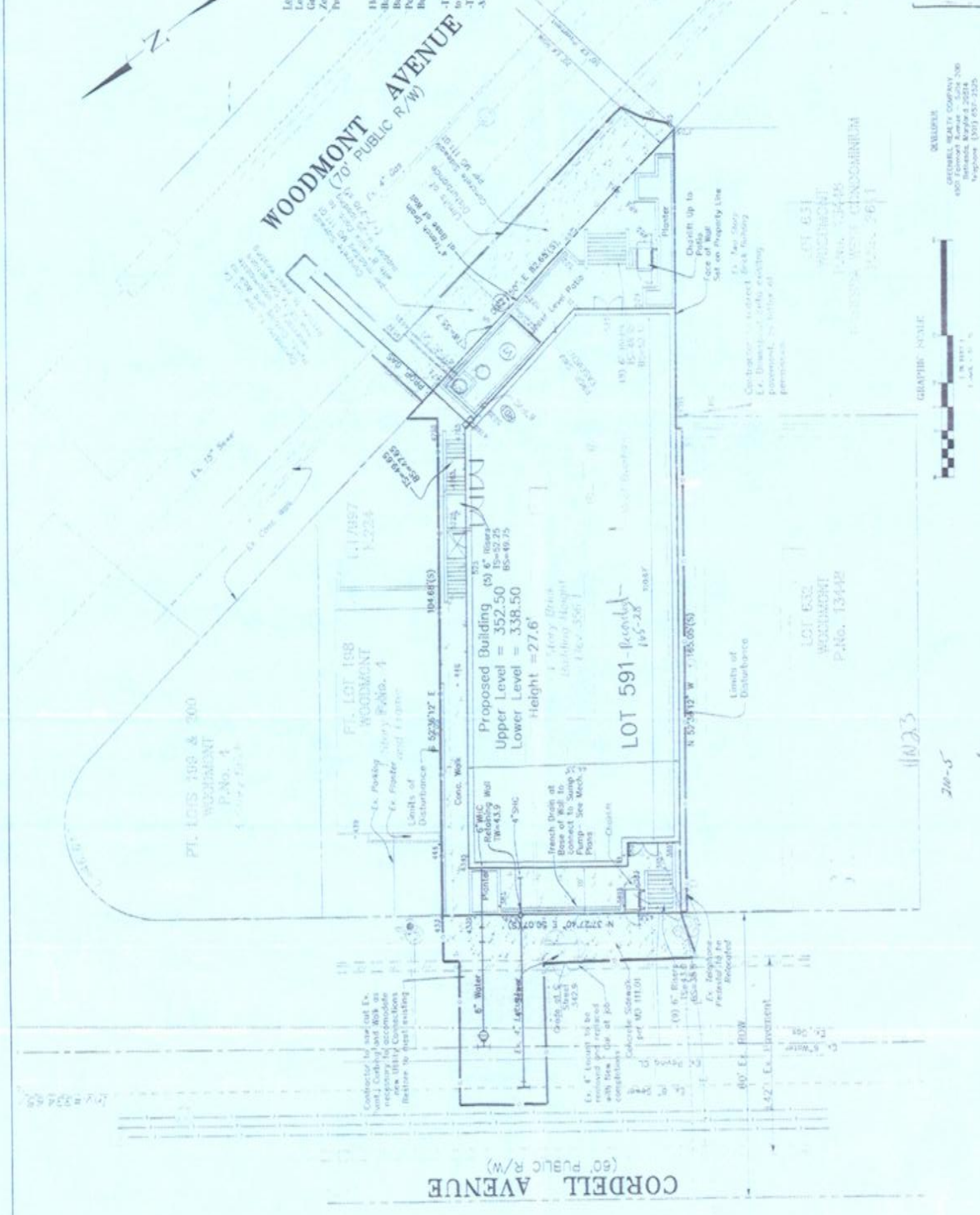
VICINITY MAP
SCALE 1" = 2,000'

Lot 591
Lot Area - 6,953 sq. ft. or 0.159 acres
Gross Tract Area - 9,617.2 sq. ft.
Zoning Classification - CBD-2
Property Address: 8068 Woodmont Avenue and 1834 Cordell Avenue

Use: Office
Floor Area Ratio 1.0
Building Footprint 6,953 sq. ft.
Building Height 27.6' - two story
Public Use Area 100% of 6934 sq. ft.
Building Height 60'

The subject property is within the Bethesda Parking District and is therefore not subject to the Montgomery County parking requirements.
-Total Disturbed Area for Development - 9,000 sq. ft.
-MCPDPS Sediment Control Permit # 232949

HEIGHT CALCULATIONS
Height from 1st to 2nd floor level 13.5'
Height from 2nd floor level to roof level 14.1'
Total height 27.6'



APPROVALS
APPROVED: [Signature]
DATE: 10/13/08

APPROVALS
APPROVED: [Signature]
DATE: 10/13/08

APPROVALS
APPROVED: [Signature]
DATE: 10/13/08

APPROVALS
APPROVED: [Signature]
DATE: 10/13/08

APPROVALS
APPROVED: [Signature]
DATE: 10/13/08

APPROVALS
APPROVED: [Signature]
DATE: 10/13/08

Project No.	08-000000
Project Name	Greenbank
Project Location	4838 Cordell Avenue, Bethesda, MD
Project Date	10/13/08
Project Status	Approved

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Project Status	Approved

Call "Miss Utility" Telephone: 1-800-252-7777 For Utility Locations At Least 48 Hours Before Beginning Construction



MONTGOMERY COUNTY PLANNING BOARD
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**Attachment C: Montgomery County Planning Board's Adequate Public Facilities
 Finding for Building Permits Resolution, July 31, 2008**

MCPB No. 08-87
Adequate Public Facilities Finding for Building Permits
Project Name: Greenbank Building Permits No. 485344 and No. 485346
Hearing Date: July 31, 2008

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 8, Article IV, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to determine Adequate Public Facilities ("APF") at the time of building permit review; and

WHEREAS, May 15, 2008, Greenhill Realty Company ("Applicant"), filed applications for a determination of APF for the release of Building Permit No. 485344 located at 4834 Cordell Avenue, Bethesda and Building Permit No. 485346 located at 8008 Woodmont Avenue, Bethesda ("Applications") for Greenhill Realty Company; originally approved as Record Plat 165-28 for "Lots 591& 592, Woodmont"; and

WHEREAS, following review and analysis of the Applications by Planning Board staff ("Staff") and the staffs of other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 21, 2008, setting forth its analysis and recommendation for approval of the Applications ("Staff Report"); and

WHEREAS, on July 31, 2008, the Planning Board held a public hearing on the Applications ("Hearing"); and

APPROVED AS TO LEGAL SUFFICIENCY

[Signature]

M-NCPPC LEGAL DEPARTMENT

DATE 7/22/08

¹ This Resolution constitutes the written decision of the Planning Board in this matter and satisfies any requirement under the Montgomery County Code for a written decision.

WHEREAS, at the Hearing, the Planning Board received evidence for the record on the Applications; and

WHEREAS, on July 31, 2008, at the Hearing, the Planning Board found the Applications to satisfy APF requirements, and APPROVED the Applications and authorized transmittal of this finding to both the Director of Montgomery County Department of Permitting Services (DPS) and the Director of Montgomery County Department of Transportation (MCDOT), subject to certain conditions, on motion of Commissioner _____, seconded by Commissioner _____, with a vote of **(X-X)** Commissioners **(list in alphabetical order)** _____, _____, _____ and _____ voting in favor of the motion.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 8, Article IV, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and APPROVES the Applicants' APF for transportation-related requirements for the proposed general retail space of up to 9,616 square feet, Greenbank Building, on recorded Lot 591 subject to the Applicant contributing to the Bethesda CBD Parking Lot District in accordance with the Montgomery County Department of Transportation, Division of Operations, Parking operations Section.

BE IT FURTHER RESOLVED, that the date of this Resolution is _____ (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).