



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

MCPB
02/11/10
Item #

MEMORANDUM – Local Map Amendment

DATE: January 25, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief, Development Review Division *RK*
Ralph Wilson, Zoning Supervisor *RW*

FROM: Carlton W. Gilbert, Planner Coordinator *CW Gilbert*
(301) 495-4576

SUBJECT: **Local Map Amendment No. G-864 (Remand by the District Council):** Christ Evangelical Lutheran Church of Bethesda-Chevy Chase, applicant. - Reclassification of 1.87 acres of land from the R-60 Zone to the PD-44 Zone for the development of a multi-family building (107 units), and the integration of a new church and community center into a single building, located at 8011 and 8015 Old Georgetown Road, Bethesda MD

Master Plan: 2006 Approved and Adopted Woodmont Triangle Amendment to the Sector Plan for the Bethesda Central Business District

PUBLIC HEARING: February 19, 2010

STAFF RECOMMENDATION:

APPROVAL of Local Map Amendment No G-864 and the Revised Development Plan and Forest Conservation Plan, for the following reasons:

1. The revised application complies with the purpose clause of the Planned Development Zone (59-C-7.11),
2. The revised development plan is compatible with existing and proposed uses in the surrounding area, and
3. The rezoning conforms to the recommendations of the 2006 Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.

4. The Forest Conservation Plan provides for the required minimum levels of afforestation on site-through use of tree canopy.

BACKGROUND AND SUMMARY

The application to rezone an approximately 1.87-acre parcel on Old Georgetown Road (Christ Evangelical Lutheran Church) in the Bethesda-Chevy Chase area from the current R-60 zone to the PD-44 zone was initially reviewed by the Planning Board on September 6, 2007. At that time, staff concluded that the proposed rezoning was consistent with the purpose clause and all applicable standards for the PD-44 zone; the development plan was compatible with existing and proposed uses in the surrounding area, and that the development proposed in the PD-44 zone conformed to the recommendations of the 2006 Woodmont Triangle Amendment to the Bethesda CBD Sector Plan. The Planning Board unanimously approved staff's recommendation and recommended approval of the rezoning and associated development plan. The Board's recommendation included a suggestion that the development plan be viewed as illustrative rather than binding, so that potential compatibility problems could be resolved during site plan review. The Hearing Examiner recommended denial of the application on December 15, 2008. By a resolution dated February 3, 2009, the District Council remanded the rezoning application back to the Hearing Examiner in order to give the applicant the opportunity to revise its plans in order to better address conformity with the master plan, the purposes and standards of the PD-44 Zone, and compatibility with the surrounding neighborhood.

In response, the applicant has made significant changes to the development plan, in a completely new design. The revised plan also includes modifications that have been suggested by staff as a result of the initial and several subsequent reviews. Staff requested that the applicant provide additional modifications to the revised development plan primarily to improve compatibility with the surrounding properties. Each finding is examined below in the context of changes made.

Upon consideration of the revised plans, the technical analysis and recommendation and any testimony, the Planning Board may make a new recommendation on the revised plan and transmit this recommendation to the Hearing Examiner.

The G-864 application is subject to the Forest Conservation Law. The remand materials include a revised preliminary Forest Conservation Plan (PFCP). Under, 22A-11(b)(2)(c), a Planning Board recommendation on a Forest Conservation Plan must be made to the District Council as part of its review of a planned development application. Environmental Planning staff finds the proposed preliminary conservation plan to be in compliance with the forest conservation law. A forest conservation requirement of 15 percent of on-site afforestation must be provided for a planned development application. The revised PFCP shows the 15 percent afforestation requirement to be met on-site with canopy coverage credit. The site has limitations relating to the intensity of the

proposed redevelopment and soil limitations. At the final FCP review, the long-term maintenance of the 15 percent afforestation tree planting will be addressed. Trees planted in afforestation must be clearly identified and labeled for this purpose on the landscape plan.

The attached memorandum from environmental planning staff addresses in some depth potential environmental issues associated with application, including the preliminary forest conservation plan, traffic noise impacts, stormwater management, and variance request to remove important trees. The principal reasons environmental planning staff supports the application include:

- 1) The proposed preliminary forest conservation plan is in compliance with the County's Forest Conservation Law Chapter 22A-12(f)(2)(D), as it provides for minimum levels of afforestation on-site through use of tree canopy,
- 2) Traffic noise impacts to the proposed residential use, and possible noise impacts from the proposed use on adjoining properties, will be mitigated as part of subsequent reviews. The applicant must demonstrate compliance with the MNCPPC Noise Guidelines and the Montgomery County Noise Ordinance, and
- 3) The stormwater management concept will be subject to the state's new SWM standards requiring environmental site design (ESD) to the maximum extent practicable (MEP). The county's version of the SWM legislation and regulations are currently in process of development. Staff supports deferral of the formal SWM concept approval to later reviews, and request that minor administrative amendments to the development plan be allowed to achieve ESD to the MEP.

Development Plan Revisions

The previous Development Plan proposed to retain the existing church structure and construct two new buildings – a community center building and a residential building that resulted in a total floor area of approximately 253,198 square feet. In addressing the concerns raised by the Hearing Examiner and neighbors, the church now proposes to remove the existing church structure, and integrate the church and community center into a new single structure. This change in concept will reduce the overall church and community center from the original proposal by approximately 11,314 square feet (from 64,314 feet to 53,000 square feet). In terms of the total number of square feet, the proposed residential building has been reduced by approximately 13,884 square feet (from 188,884 square feet to 175,000 square feet). For the overall project, the density has decreased by approximately 25,198 square feet (from 253,198 to 228,000 square feet). The proposed density reductions on the site allows for significantly increased setbacks from neighboring properties.

The proposed church/community center building setback from the adjacent property (Lot 5) to the north on Glen Brook Road has been increased from 11.5 feet to 40 feet. Also, the setback from the west property line of this property to the residential building has been increased from 20 feet to 142 feet. Along the east side of Rugby Avenue (Lot 10), the residential building setback is increased from 15 feet to 105 feet. The increased setbacks create a large open space with a landscaped park/garden, including a fenced playground area for the daycare and a pedestrian path to allow citizens to walk through the church property from Rugby Road to Glenbrook and Old Georgetown Roads. Furthermore, as a result of the new design of integrating the church and community center into a single structure, the loading dock has been moved from Glenbrook Road near Lot 5 to the opposite side of the proposed residential building which is adjacent to the Bethesda Chevy-Chase Rescue Station. The proposed maximum building height of the residential building has been decreased from 114 feet to 94 feet. The maximum height of the church/community center will be 78 feet.

The Glenbrook Road façade of the church/community has been revised and now includes a semi-circular shape in order to provide open space at the northwest quadrant of Old Georgetown Road and Glenbrook Road. While points of access to public roads remain the same, parking spaces near Rugby Avenue have been removed and replaced with a landscape buffer area near a single-family residence (Lot 8).

As shown in the previous Development Plan, both the proposed residential building and the proposed integrated church/community center building will comply with the master plan guideline that structures should not exceed 50 feet in height within the 60-foot setback measured from the face of curb of the existing Old Georgetown Road.

The table below summarizes the key revisions to the Development Plan:

<i>Standard</i>	<i>Previous Plan</i>	<i>Revised Plan</i>	<i>% Change</i>
Setback			
---Rear Ch/Comm. Center to Lot 5	11.5 feet	40 feet	248% increase
---Side, Residential Bldg. to Lot 5 and Lot 6	20 feet	142 feet	610% increase
---Rear, Residential Bldg. to Lot 10	15 feet	105 feet	600% increase
---Rear, Residential Bldg. to Lot 8	57.6 feet	54.6 feet	2% decrease
Height			
---Residential Bldg.	114 feet	94 feet	17.5% reduction
---Ch/Comm. Ctr.	76 feet	78 feet	2.5% increase

Floor Area			
---Residential Bldg.	188,884 sq. ft.	175,000 sq. ft.	7.4% reduction
---Ch/Comm. Ctr.	64,314 sq. ft.	53,000 sq. ft.	17.6% reduction
Building Coverage	41,882 sq. ft.	35,220 sq. ft.	15.8% reduction

Conformance with the 2006 Approved Sector Plan

For the reasons cited in our previous report and summarized below, staff finds G-864 and the accompanying revised development plan to be in substantial compliance with the various sector plan recommendations. (See attached Vision Division memo).

The Approved and Adopted 2006 Woodmont Triangle Amendment to the Bethesda Sector Plan recommends the PD-44 Zone for the Property. The building height shown on the revised plan (maximum 94 feet) for the new residential building satisfies sector plan recommendations, which lifted the height restrictions included in the Bethesda CBD Sector Plan and replaced them with a 50-foot restriction for a distance extending 60 feet back from the Old Georgetown Road right-of-way. The applicant has noted in the Development Plan that within the 60-foot setback from the existing Old Georgetown Road right-of-way, the new residential construction and the new church/community center will not exceed 50 feet in height. Although the PD-44 zone does not include a height restriction, staff believes that the proposed height is well within the limits of other nearby zoning classifications, such as the CBD-1 optional height limit of 143 feet.

Additionally, the Approved and Adopted (2006) Woodmont Triangle Sector Plan envisions a mixed use urban neighborhood within the Bethesda Central Business District (CBD). The 2006 plan encourages the development of additional housing and community amenities and services. It also provides for additional flexibility in height and density restrictions. Although this site is just outside the CBD, Staff believes that the revised development plan satisfies several goals of the Sector Plan and conforms to the zoning recommendations of that Plan. The revised development plan provides an opportunity for additional housing, including MPDUs, provides adequate setbacks (as outlined in above table) from neighboring properties and improves the safety, character and attractiveness of existing streets.

Compliance with the Purpose Clause and Standards of the PD-Zone: A floating zone requires an evaluation for compliance with the purposes of the zone. Section 59-C-7 of the Montgomery County Zoning Ordinance contains the requirements for development of property in the Planned Development (PD) Zone.

Section 59-C-7.11. Purpose

To Implement the General Plan and Area Master Plan

A primary purpose of the Sector Plan is to increase housing opportunities. The 2006 Plan seeks to achieve this goal, in part, through the recommendation for the PD-44

zone for the Glenbrook Road and Rugby Avenue area, of which this property is a part. The property is identified as appropriate for the PD-44 zone on page 28 of the 2006 Plan. The revised development plan incorporates the existing church and associated community functions within the proposed church/community center building, and provides for the development of 107 dwelling units within the proposed residential building.

That the project be so designed and constructed as to facilitate and encourage a maximum of social and community interaction and activity among those who live and work within an area and to encourage the creation of a distinctive visual character and identity for each development. It is intended that development in this zone produce a balanced and coordinated mixture of residential and convenience commercial uses, as well as other commercial and industrial uses shown on the area master plan, and related public and private facilities.

The revised development plan satisfies the purpose of integrating the proposed church/community center with the surrounding residential and commercial uses. The church/community center will provide offices, classrooms, day care facilities, and a multi-purpose facility for assembly and recreational uses. This mix of community serving facilities will encourage social and community interaction and activity. The proposed development will provide urban open spaces and walkway connections to community services and facilities. The property is in close proximity to shopping, parks, and public transportation and thus provides many opportunities for interaction among residents of the development and the surrounding community, creating a compatible "mixed-use" project.

To provide and encourage a broad range of housing types, comprising owner and rental occupancy units, and one-family, multiple-family and other structural types. Promote development designed and constructed to facilitate and encourage a maximum of social and community interaction and activity among those who live and work within an area and to encourage the creation of a distinctive visual character and identity for each development.

The inclusion of the proposed multi-family project at this location introduces a desirable housing type into the Woodmont Triangle District. The proposed residential development will provide a variety of bedroom units, at a variety of sizes. The units will reflect a range of pricing, including market rate and affordable MPDU units, which provides an alternative for those who wish to live and work near the Central Business District.

To preserve and take the greatest possible aesthetic advantage of trees and in order to do so, minimize the amount of grading necessary for construction of a development.

The increased setbacks created to the north and east permits the planting of additional landscape screening, including new trees. The existing property contains few trees and the creation of a more urban, developed open space does not permit retention of the

few existing trees. The approved NRI/FSD notes that five of the seven existing trees are in poor or fair quality. The planting of new healthy trees provide for a more attractive site and more efficient buffering. When redeveloped, it will have slightly over 50% open space and green area, along with a vastly improved landscape along Old Georgetown Road. The residential building and parking facilities are constructed in areas previously occupied by buildings, driveways, and parking areas, thereby reducing the amount of grading.

To encourage and provide for open space ...conveniently located with respect to points of residential and commercial concentration so as to function for the general benefit of the community and public at large for places of relaxation, recreation and social activity and furthermore, open space should be so situated as part of the plan and design of each development as to achieve physical and aesthetic integration of the uses and activities within each development.

The revised development plan provides for urban open spaces adjacent to the front and rear of the residential building. This open space will visually and physically connect the building to the public sidewalks along Old Georgetown Road and Rugby Avenue. An extensive, landscaped open space will be provided northeast of the church/community center to serve the users of the day care and other programs offered at the community center. Additionally, this open space will provide for pedestrian access between Rugby Avenue and Glenbrook Road as well as Battery Lane, through the Rescue squad parking lot to Glenbrook Road. The community center will provide a convenient location for the provision of recreational and social services to the community.

To encourage and provide for development of comprehensive, pedestrian circulation networks, separate from roadways, which constitute a system of linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities to minimize reliance on the automobile.

The revised development plan includes a pedestrian walkway interconnecting the proposed residential building with Old Georgetown Road. The church/community center faces the southeast and opens onto a broad sidewalk area. As stated above, a large landscaped open space provided on the northeast side of the project provides for passive recreational use. The location of the development is within approximately 2,500 feet of the Metro station. Residents will also have access to Metro bus and Ride-On bus service, thereby reducing reliance on automobiles. (See attached Transportation Planning memo)

To encourage development on a large enough scale to achieve purposes of the zone.

The revised development plan includes an assemblage of parcels to allow for a more comprehensive development of residential and non-residential uses at a scale that achieves the purpose of the zone. The proposal also provides amenities and facilities for the residents as well as the community at large.

To achieve a maximum of safety, convenience and amenity for residents of each development and the residents of neighboring areas, and, furthermore, to assure compatibility and coordination of each development with existing and proposed surrounding land uses.

The revised development plan is designed and planned to maximize safe connection between the residential building and the surrounding neighborhood. Sidewalks connect the residential building to Rugby Avenue and to Old Georgetown Road. Vehicular access to the garage parking is provided from Old Georgetown Road, with access also provided from Glenbrook Road, and emergency vehicle only access to Rugby Avenue. The services provided within the community center will provide amenities to the surrounding community. The large open space, the architectural treatment of stepping back the buildings and the proposed landscaping and screen walls help provide a defined separation from the adjacent single-family detached homes and ensure compatibility with surrounding uses.

Approval or disapproval shall be upon findings that the application is or is not proper for the comprehensive and systematic development of the county, is or is not capable of accomplishing the purpose of the zone and is or is not in substantial compliance with the general plan and master plan.

The revised development plan is appropriate for the development of the County and in keeping with the purposes of the zone and in substantial compliance with the general plan and master plan. By combining parcels and developing under the PD zone, the development plan is able to achieve the goals and policies of the Sector Plan. The proposal provides a transition between the commercial CBD area of Bethesda, along Old Georgetown Road, and the residential area to the north and west of Old Georgetown Road, comprised of both multi-family and single-family residences.

59-C-7.12 Where Applicable

Master Plan. No land can be classified in the planned development zone unless such land is within an area for which there is an existing, duly adopted master plan which shows such land for a density of 2 dwelling units per acre or higher.

The sector plan confirms the R-60 zone for the site and also recommends PD-44 zoning (44 units per acre) for the Rugby Avenue and Glenbrook Road area identified as Block 19, page 23, in the Woodmont Triangle Amendment Sector Plan.

Minimum area. No land can be classified in the planned development zone unless the district council finds that the proposed development meets at least one of the following criteria:

- (a) That it contains sufficient gross area to construct 50 or more dwelling units under the density category to be granted;

- (b) That it would be logical extension of an existing planned development;
- (c) That it would result in the preservation of an historic structure or site (as indicated on the current historic sites identification map or as recommended by the planning board as being of historic value and worthy of preservation);
- (d) That the accompanying development plan would result in the development of a community redevelopment area;
- (e) That the site is recommended for the PD zone in an approved and adopted master plan or sector plan and so uniquely situated that assembly of a minimum gross area to accommodate at least 50 dwelling units is unlikely or undesirable and the development of less than 50 dwelling units is in the public interest.

The revised development plan contains sufficient area to allow for 107 dwelling units, including 15 percent MPDUs.

59-C-7.131 Residential Uses

The revised development plan proposes 107 dwelling units, including one-, two-, and three bedroom units, within an 8-story, multi-family building. Using the PD-44 zoning results in a size category of less than 200 units. The proposed 107-unit residential building satisfies this provision.

59-C-7.132 Commercial Uses

No commercial uses are proposed.

59-C-7.133 Other Uses

The revised development plan includes razing the existing church, removing the existing buildings within which the church provides community services, and constructing a new church/community center building and a residential building. The community center will include church and non-profit office space, daycare, classrooms, and a multi-purpose facility for assembly and recreational use.

59-C-7.14 Density of Residential Development

The PD-44 zone is a high density category, with a maximum of 44 dwelling units per acre. The 2.006 acre property yields 88 units at 44 units per acre with 22% bonus density. The project provides for 107 units, which includes 17 MPDUs (15%) and 90 market-rate units, in accordance the Sector Plan.

59-C-7.15 Compatibility.

(a) All uses must achieve the purposes set forth in section 59-C-7.11 and be compatible with the other uses proposed for the planned development and with other uses existing or proposed adjacent to or in the vicinity of the area covered by the proposed planned development.

(b) In order to assist in accomplishing compatibility for sites that are not within, or in close proximity to a central business district or transit station development area, the following requirements apply where a planned development zone adjoins land for which the area master plan recommends a one-family zone:

- (1) No building other than a one-family detached residence can be constructed within 100 feet of such adjoining land; and
- (2) No building can be constructed to a height greater than its distance from such adjoining land.

A waiver of the requirement of paragraph (b)(1), may be permitted if:

- (1) The property is within or in close proximity to a central business district or transit station development area and reduced setbacks are recommended by the master or sector plan, and the Planning Board finds that the reduced setbacks are compatible with existing or proposed development in the adjoining or confronting one-family detached zones; or
- (2) The property is within or in close proximity to a historic district and the Planning Board reuse, or redevelopment of a designated historic district and the immediately adjoining property will not be adversely affected by the waiver.
- (3) The maximum building height under this waiver must not exceed 50 feet.

Compliance with these requirements does not, by itself, create a presumption of compatibility.

The subject property is in close proximity to the Bethesda CBD, and does not adjoin property for which the area master plan recommends a one-family detached zone. Therefore, the provisions of Sections 59-C-7.15(b) do not apply to the project. In accordance with Section 59-C-715(a), the revised development, increases compatibility with adjacent development as discussed in detail further below.

59-C-7.16. Green Area

Green area must be provided in amounts not less than the following schedule:

Density
Category

Green Area
(Percent of Gross Area)

High	
PD-28	50
PD-35	50
PD-44	50

The total green area requirement for the PD-44 zone is 50 percent. The revised development plan provides for 52 percent green area, including the roof-top. The applicant proposes approximately 48 percent of the green area at ground level and approximately 4 percent of the green area on the roof-top of the residential building, representing a total green area of a minimum of 52 percent of the gross lot area.

59-C-7.17. Dedication of land for public use.

Such land as may be required for public streets, parks, schools and other public uses must be dedicated in accordance with the County subdivision regulations, General Plan, Master Plan and identified on the development plan.

Approximately, 6,659 square feet of land for Old Georgetown Road and Glenbrook Road will be dedicated to public use by this local map amendment application.

59-C-7.18. Parking Facilities

Off-street parking must be provided in accordance with the requirements of article 59-E.

A total of 236 parking spaces are provided in the structured parking garage at the ground level and two-below-grade levels. Parking spaces in accordance with Section 59-E are required as follows:

Residential:

17 1-bedroom MPDU @1 sp/u	= 17 spaces
21 1-bedroom @ 1.25	= 27 spaces
59 2-bedroom @ 1.5	= 89 spaces
10 3-bedroom @ 2	= <u>20 spaces</u>
	= 153 spaces required

Non-Residential Uses:

Church/Community Center	
248 seats @ 1 sp/4 seats	= 62 spaces required

Total spaces required: = 215 spaces

59-C-7.19. Procedure for application and approval

- (a) Application and development plan must be in accordance with division 59-D-1.
- (b) Site plan must be submitted and approved in accordance with 59-D-3.

The application and revised development plan have been submitted in accordance with the provisions of Division 59-D-1.

Final design of the development will be reviewed by the Montgomery County Planning Board at the time of subdivision and site plan review. The applicant must submit a site plan in accordance with Section 59-D-3 of the Zoning Ordinance before any development of the site may take place.

The binding elements of the revised development plan include the following:

1. The density of the site must be limited to that permitted in the PD-44 zone, including the MPDU density bonus.
2. Primary access points will be from Old Georgetown Road and Glenbrook Road.
3. Within the 60-foot setback, measured from the face of curb of the existing Old Georgetown Road, the new buildings will not exceed 50 feet in height as measured from the terrace grade.
4. The maximum height of the buildings within the development will not exceed 94 feet.
5. The maximum number of dwelling units will be 107, including 15% MPDUs.
6. The green space will meet or exceed 50% of the gross lot area.
7. All green areas (including the active/passive recreation rooftop green area) will be accessible to all residents or occupants of the buildings.

Compatibility with Adjacent Uses

The revised development plan ensures compatibility with adjacent single-family development. As discussed on pages 3 and 4 of this report, the reduction in building mass and density on the site allows for significantly increased setbacks that further improves the compatibility of the proposed buildings with the surrounding neighborhood. Reducing the residential building height (from 114 feet to 94 feet) further enhances its compatibility.

The revised architectural design of the new buildings has improved the overall design of the site. The upper levels of the eight-story residential building are stepped back, showing 10-foot setbacks for each of the top three floors. The transition of scale achieved by stepping back at the upper levels, along with the 30-foot jog in the Old Georgetown Road setback, reduces the mass of both the residential building and the church/community center, and provides a transition between the neighborhoods and commercial part of the CBD. The proposed landscape elements help to identify the transition between the street edge and the garden courtyards of the project. Additional landscaping is integrated into the project by increasing the building setback significantly from the residences to the north and east and by providing a green roof and an open area for residents. A 10-foot landscape buffer will be provided between the proposed play area and the adjacent residences located northeast of the site. Primary access to the residential building will be from Old Georgetown Road. The entrance/exit of the

below grade garage parking adjacent to the church/community center is accessed off of Glenbrook Road. The loading dock has been moved from Glenbrook Road near Lot 5 to the opposite side of the proposed residential building which is adjacent to the Bethesda Chevy-Chase Rescue Station.

The church/community center building as shown on the revised development plan is setback 47.7 feet from the residence on Lot 5. This residence is adjacent to the proposed entry driveway off of Glenbrook Road, however, the driveway descends in grade below the level of the residential property, and an existing fence and proposed landscaping provides privacy and compatibility. This will both reduce acoustic disruptions and help extend the landscape edge of the residential neighborhood into the side yard of the proposed building.

Staff believes that with the increased setbacks and at-grade green area, the reduction in floor area, the reduction in height and building coverage, the building articulation and the creation of a large, pedestrian open area, development of the site would be more compatible with surrounding, land uses than under the original development plan.

59-D-1.6 – Approval by District Council

59-D-1.61 – Findings

Before approving an application for classification in any of these zones, the District Council must consider whether the application, including the development plan, fulfills the purposes and requirements set forth in article 59-C for the zone. In doing so, the district council must make the following specific findings in addition to any other findings which may be necessary and appropriate to the evaluation of the proposed reclassification:

- (a) **That the zone applied for is in substantial compliance with the use and density indicated by the Master Plan or Sector Plan, and that it does not conflict with the general plan, the county capital improvements program or other applicable county plans and policies;**

As indicated previously, the PD-44 zone is in compliance with the use and density recommendation of the Sector Plan for this area. The Master Plan recommends the development of this Housing Resource Area in accordance with the PD-44 zone in order to provide additional housing opportunities.

- (b) **That the proposed development would comply with the purposes, standards and regulations of the zone as set forth in article 59-C, would provide for the maximum safety, convenience, and amenity of the residents of the development and would be compatible with adjacent development.**

The proposed development complies with the purposes, standards and regulations of the PD-44 zone as set forth in article 59-C. The revised development plan maintains an appropriate scale, both in terms of activity and layout, to achieve compatibility with the surrounding mix of multi-family, institutional, commercial, and single-family uses. The proposal will enhance both pedestrian and vehicular safety because the access driveways, pedestrian ways and entrance features have been designed in a safe and efficient manner.

(c) That the proposed internal vehicular and pedestrian circulation systems and points of external access are safe, adequate, and efficient;

The internal vehicular and pedestrian circulation for the project have been designed to provide clear drive aisles, sidewalks, drop-off and pick-up areas, and separate loading areas. The table in the attached Transportation Planning Memo shows how the ingress and egress points for the various uses will be utilized at different times of the day.

(d) That by its design, by minimizing grading and by other means, the proposed development would tend to prevent erosion of the soil and to preserve natural vegetation and other natural features of the site. Any applicable requirements for forest conservation under Chapter 22A and for water resource protection under Chapter 19 also must be satisfied. The district council may require more detailed findings on these matters by the planning board at the time of site plan approval as provided in division 59-D-3;

The previously approved Stormwater Management Concept Plan expired in July 2009. This original plan included green roofs, grass swales and underground facilities, the latter methods typical of pre-ESD requirements. On December 8, 2008, Environmental Planning received an *Overview of Updated Stormwater Management Concept Plan* information from the applicant's engineer. The Overview acknowledges the site will likely be subject to the State's Environmental Site Design (ESD) requirements to address the state's 2007 SWM regulations that become effective May 2010. The ESD stormwater techniques, used to the maximum extent possible (MEP) will be used to provide quality control and recharge. Incorporation of ESD in the site's new stormwater concept plan will address compliance with Master Plan water quality concerns.

(e) That any documents showing the ownership and method of assuring perpetual maintenance of any areas intended to be used for recreational or other common of quasi-public purposes are adequate and sufficient.

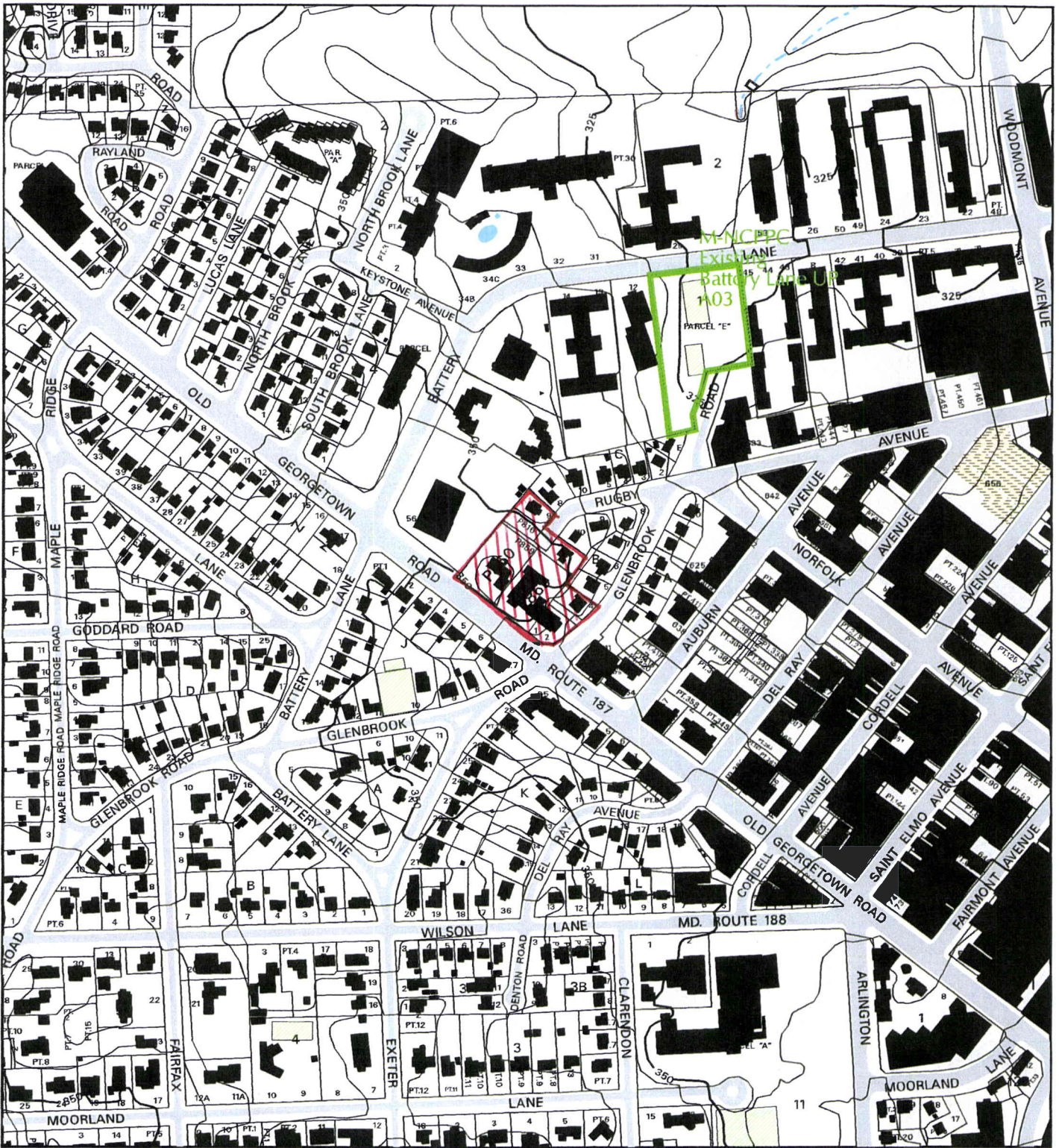
At this time, the form of ownership (whether rental or sale) for the residential project has not been determined. The applicant must provide appropriate assurances of maintenance of common areas as required by law prior to any conveyance of building units.

Conclusion - The application and revised development plan are consistent with Sector Plan recommendations for zoning, use and density, and compatible with the surrounding areas. Staff recommends approval of the revised development plan and design elements that accompany this application.

LIST OF ATTACHMENTS

1. Location Map
2. District Council Remand Order
3. Planning Board Transmittal Letter
4. Previous Development Plan
5. Revised Development Plan
6. Revised Green Space Plan
7. Revised Building Context Views
8. Revised Elevations
9. Comparison Chart
10. Environmental Planning Memo
11. Vision Division Memo
12. Transportation Planning Memo
13. Site Plan Review Memo
14. County Council Resolution (Bethesda-Chevy Chase Cluster
ES Solution)

CHRIST EVANGELICAL LUTHERAN CHURCH/COMM. CTR.



Map compiled on March 01, 2007 at 9:30 AM | Site located on base sheet no - 210NW05

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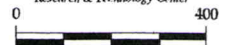
Key Map



N



Research & Technology Center



1 inch = 400 feet
1 : 4800

Resolution No.: 16-838
Introduced: February 3, 2009
Adopted: February 3, 2009

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Order to Remand Local Map Amendment Application G-864:
BA Old Georgetown Road, LLC and Christ Evangelical Lutheran Church of
Bethesda-Chevy Chase

Background

1. On December 15, 2008 the Hearing Examiner from the Office of Zoning and Administrative Hearings submitted a report and recommendations concerning Local Map Amendment (LMA) G-864; the Hearing Examiner Recommended denial of the application.
2. On December 23, 2008 the District Council received a timely request for oral argument concerning LMA G-864.
3. On January 13, 2009 the District Council granted the request for oral argument.
4. On February 3, 2009 the District Council heard oral argument.
5. The District Council finds that further proceedings on this matter, including consideration of any revised development plan that the applicant may submit, will serve the public interest.

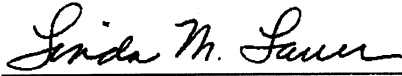
Action

For these reasons, the County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County, Maryland approves the following resolution:

LMA G-864 is remanded to the Hearing Examiner to reopen the record to permit the Applicant to amend its development plan consistent with the findings of the Hearing Examiner in LMA G-864 regarding compatibility with the master plan, the purposes and standards of Zone PD-44, and the surrounding neighborhood.

The file in this matter is transmitted herewith to the Hearing Examiner. Once the Hearing Examiner has reached a recommendation, the recommendation should be transmitted to the County Council with the case file.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council



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

OFFICE OF THE CHAIRMAN

MONTGOMERY COUNTY PLANNING BOARD

The Maryland-National Capital Park and Planning Commission

September 7, 2007

TO: The County Council for Montgomery County, Maryland, sitting as the District Council for the Maryland-Washington Regional District in Montgomery County, Maryland

FROM: Montgomery County Planning Board

SUBJECT: Planning Board Opinion on Local Map Amendment No. G-864:

BOARD RECOMMENDATION

The Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed Local Map Amendment No. G-864, at its regular meeting on September 6, 2007. The Local Map Amendment requests reclassification from the R-60 zone to the PD-44 of 1.87 acres of land located at 8011 and 8015 Old Georgetown Road, Bethesda within the 2006 Approved and Adopted Woodmont Triangle Amendment to the Sector Plan for the Bethesda Central Business District. The rezoning and associated development plan will permit the development of up to 107 multi-family units, renovation of the existing chapel, and a new multi-purpose church building. Following discussion with the staff, the applicant's attorney, and public testimony, the Planning Board unanimously recommends **APPROVAL** of the PD-44 rezoning application and the associated development plan for the reasons set forth in the technical staff report, which is hereby approved and incorporated by reference in this recommendation.

The Planning Board recommends approval of the rezoning application in that the application is consistent with the purpose clause and all applicable standards for the PD-44 zone; the development plan is compatible with existing and proposed uses in the surrounding area; and the PD-44 zone conforms to the recommendations of the 2006 Woodmont Triangle Amendment to the Bethesda CBD Sector Plan.

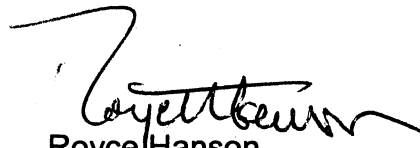
The Board expressed the position that the relationship of the proposed residential building to the adjacent single-family detached residences needs to be

carefully examined at site plan. Specifically, Chairman Hanson believes that improved design of the residential building can mitigate potential conflicts with existing single-family residences. It was the position of the Board that the compatibility issue can be more effectively addressed at site plan than at the rezoning stage.

Therefore, the Chairman recommends that the District Council view the presentations, including the development plan, as illustrative rather than binding so that the potential compatibility issues can be thoroughly examined and resolved at site plan.

CERTIFICATION

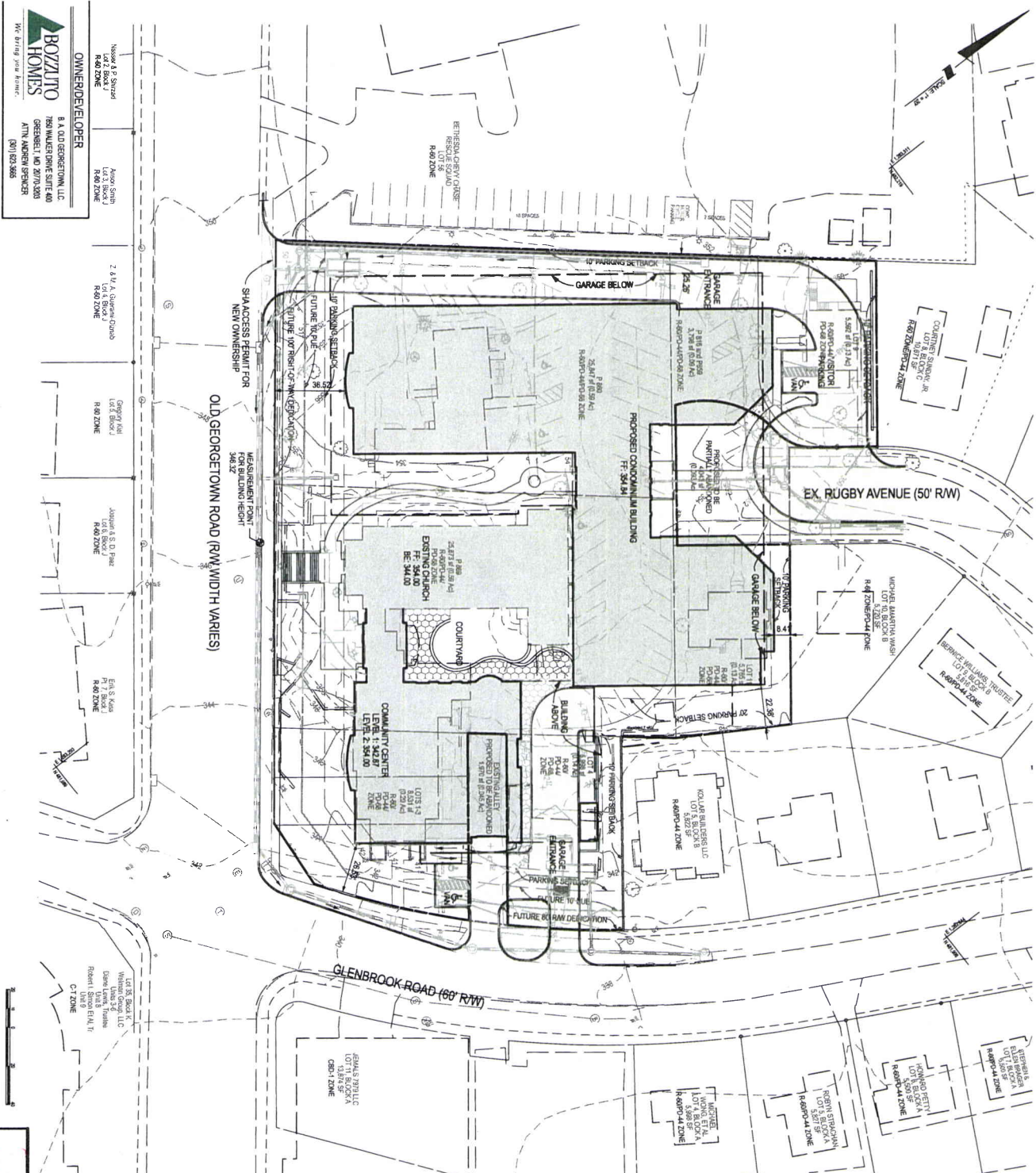
This is to certify that the attached report is a true and correct copy of the technical staff report and the foregoing is the recommendation adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on a motion of Commissioner Lynch, seconded by Commissioner Bryant, with Commissioner Cryor, Commissioner Robinson and Chairman Hanson voting in favor of the motion, at its regular meeting held in Silver Spring, Maryland on Thursday, September 6, 2007.



Royce Hanson
Chairman

RH:cg

(PREVIOUS)



BOZZUTO HOMES
 8100 GEORGETOWN LANE
 7800 WASHINGTON DRIVE SUITE 400
 GREENBELT, MD 20770-2001
 ATTN: ANDREW SPENCER
 (301) 521-5865

OWNER/DEVELOPER
 ANSON SMITH
 LOTS 2, 3, 4, 5
 R-40 ZONE

OWNER/DEVELOPER
 2 & 4 L.A. GIBSON GROUP
 LOTS 6 & 7
 R-40 ZONE

OWNER/DEVELOPER
 GREGORY RAY
 LOTS 8 & 9
 R-40 ZONE

OWNER/DEVELOPER
 JAMES A. S. D. PEAR
 LOTS 10 & 11
 R-40 ZONE

OWNER/DEVELOPER
 ERIC S. KERR
 LOT 12
 R-40 ZONE

OWNER/DEVELOPER
 WILHELM GROUP LLC
 10000 WILHELM DRIVE
 ROCKVILLE, MD 20850
 C-1 ZONE

OWNER/DEVELOPER
 JENNY S. BROWN
 10000 WILHELM DRIVE
 ROCKVILLE, MD 20850
 C-1 ZONE

OWNER/DEVELOPER
 JENNY S. BROWN
 10000 WILHELM DRIVE
 ROCKVILLE, MD 20850
 C-1 ZONE

PROJECT DATA TABLE FOR R-40 AND C-1 ZONE

Item	Area (sq. ft.)	Volume (cu. ft.)	Notes
1. Proposed Condominium Building	10,000	100,000	FF 54.14
2. Existing Church	5,000	50,000	FF 54.10
3. Community Center	3,000	30,000	FF 54.10
4. Courtyard	2,000	20,000	FF 54.10
5. Parking Detack	1,000	10,000	FF 54.14
6. Garage Below	1,000	10,000	FF 54.14
7. Future to be built	1,000	10,000	FF 54.14
8. Future to be built	1,000	10,000	FF 54.14
9. Future to be built	1,000	10,000	FF 54.14
10. Future to be built	1,000	10,000	FF 54.14
11. Future to be built	1,000	10,000	FF 54.14
12. Future to be built	1,000	10,000	FF 54.14
13. Future to be built	1,000	10,000	FF 54.14
14. Future to be built	1,000	10,000	FF 54.14
15. Future to be built	1,000	10,000	FF 54.14
16. Future to be built	1,000	10,000	FF 54.14
17. Future to be built	1,000	10,000	FF 54.14
18. Future to be built	1,000	10,000	FF 54.14
19. Future to be built	1,000	10,000	FF 54.14
20. Future to be built	1,000	10,000	FF 54.14

GENERAL NOTES

- Boundary information shown herein and topographic information, shown at 2' intervals on this plan, was obtained from field surveys by Landmark Survey Associates, Inc.
- This site is to be served by public water and sewer systems and is presently zoned R-40. Water and sewer connections are shown on this plan.
- The site is within the Bethesda-Crivy Center. No portion of the site is a floodplain.
- Utility Companies: Potomac Electric Power Company, Verizon, Washington Gas, Washington Suburban Sanitary Commission.
- This site features, in conceptual terms, the relative location and configuration of the various components of the project.
- The building will be built in one phase.
- The site plan shall include a parking and site distribution plan for the project.
- All on-site utilities will be placed underground.

MISS UTILITY NOTE

THE MISS UTILITY NOTE IS A SUMMARY OF THE UTILITY INFORMATION OBTAINED FROM THE MISS UTILITY SURVEY. IT IS NOT A SUBSTITUTE FOR A MISS UTILITY SURVEY. THE MISS UTILITY SURVEY IS A DETAILED SURVEY OF THE UTILITY SYSTEMS UNDERGROUND AND ABOVE GROUND. THE MISS UTILITY SURVEY IS A REQUIREMENT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS. THE MISS UTILITY SURVEY IS A REQUIREMENT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS. THE MISS UTILITY SURVEY IS A REQUIREMENT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS.

DEVELOPMENT PLAN

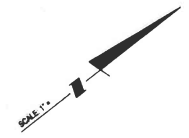
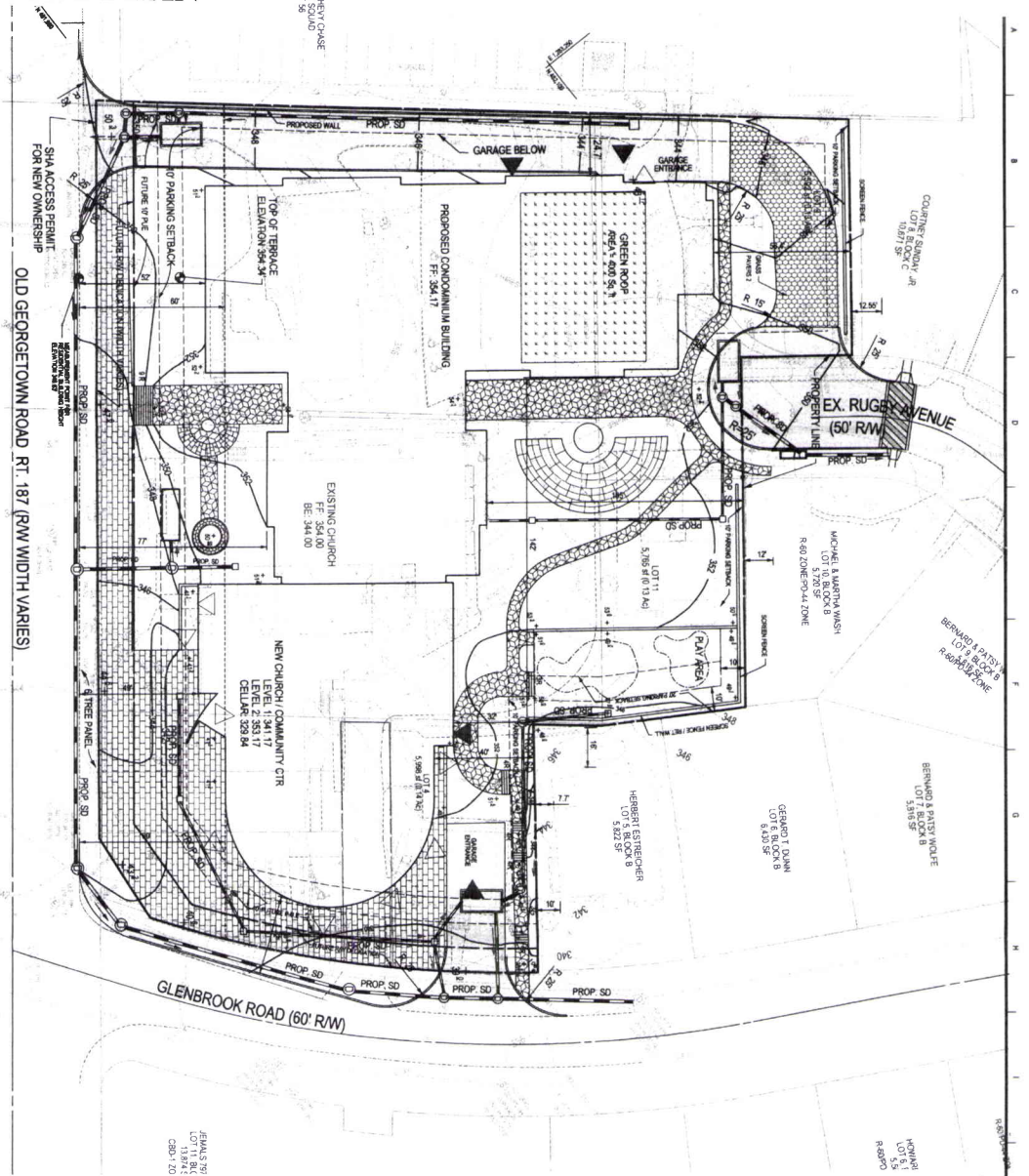
CHRIST EVANGELICAL LUTHERAN CHURCH COMMUNITY CENTER AND BOZZUTO HOMES CONDOMINIUMS

7800 WASHINGTON DRIVE SUITE 400 GREENBELT, MD 20770-2001 ATTN: ANDREW SPENCER (301) 521-5865

Item	Area (sq. ft.)	Volume (cu. ft.)	Notes
1. Proposed Condominium Building	10,000	100,000	FF 54.14
2. Existing Church	5,000	50,000	FF 54.10
3. Community Center	3,000	30,000	FF 54.10
4. Courtyard	2,000	20,000	FF 54.10
5. Parking Detack	1,000	10,000	FF 54.14
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15. Future to be built	1,000	10,000	FF 54.14
16. Future to be built	1,000	10,000	FF 54.14
17. Future to be built	1,000	10,000	FF 54.14
18. Future to be built	1,000	10,000	FF 54.14
19. Future to be built	1,000	10,000	FF 54.14
20. Future to be built	1,000	10,000	FF 54.14



REVISED DEVELOPMENT PLAN



- ### GENERAL NOTES
1. The site is to be served by public water and sewer systems and is presently installed in water and sewer mains (18" and 24" respectively).
 2. The site is to be served by public water and sewer systems and is presently installed in water and sewer mains (18" and 24" respectively).
 3. The site is to be served by public water and sewer systems and is presently installed in water and sewer mains (18" and 24" respectively).
 4. Utility Companies: Potomac Electric Power Company, American Electric Power Company, Verizon, Comcast, Washington Gas, and Washington Suburban Electric System.
 5. The site shows the location and configuration of the various components of the project and major engineering may be needed at the 50% plan stage.
 6. The building will be built in one phase.
 7. The site plan includes parking and distribution plan for the project.
 8. All site utilities will be placed underground.
 9. All green areas (including sub-grade) will be planted with trees and shrubs to be maintained in accordance with the landscape plan.

PROPOSED DEVELOPMENT TABLE

Item No.	Description	Area (sq. ft.)	Volume (cu. ft.)	Notes
1	Proposed Condominium Building	15,000	30,000	3 stories
2	New Church/Community Ctr	10,000	20,000	2 stories
3	Existing Church	5,000	10,000	1 story
4	Garage Below	5,000	10,000	1 story
5	Other	10,000	20,000	2 stories
Total	Proposed Development	45,000	90,000	

REVISIONS

No.	Date	Description
1	11/15/24	Initial Issue
2	11/20/24	Revised
3	12/05/24	Revised
4	12/15/24	Revised
5	12/20/24	Revised
6	12/25/24	Revised
7	12/30/24	Revised
8	1/05/25	Revised
9	1/10/25	Revised
10	1/15/25	Revised
11	1/20/25	Revised
12	1/25/25	Revised
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14	2/05/25	Revised
15	2/10/25	Revised
16	2/15/25	Revised
17	2/20/25	Revised
18	2/25/25	Revised
19	3/02/25	Revised
20	3/05/25	Revised
21	3/10/25	Revised
22	3/15/25	Revised
23	3/20/25	Revised
24	3/25/25	Revised
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34	5/15/25	Revised
35	5/20/25	Revised
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37	6/01/25	Revised
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45	7/10/25	Revised
46	7/15/25	Revised
47	7/20/25	Revised
48	7/25/25	Revised
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93	3/10/26	Revised
94	3/15/26	Revised
95	3/20/26	Revised
96	3/25/26	Revised
97	4/01/26	Revised
98	4/05/26	Revised
99	4/10/26	Revised
100	4/15/26	Revised

PROFESSIONAL CERTIFICATE

I, the undersigned, a duly licensed Professional Engineer in the State of Maryland, do hereby certify that the above information is true and correct to the best of my knowledge and belief.

Signature: *[Signature]*
 Title: *[Title]*
 Date: *[Date]*

PROFESSIONAL CERTIFICATE

I, the undersigned, a duly licensed Professional Engineer in the State of Maryland, do hereby certify that the above information is true and correct to the best of my knowledge and belief.

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Signature: *[Signature]*
 Title: *[Title]*
 Date: *[Date]*

REVISED DEVELOPMENT PLAN

CHRIST EVANGELICAL LUTHERAN CHURCH COMMUNITY CENTER AND CONDOMINIUMS

1500 N. ...

Scale: 1" = 10' - 0"

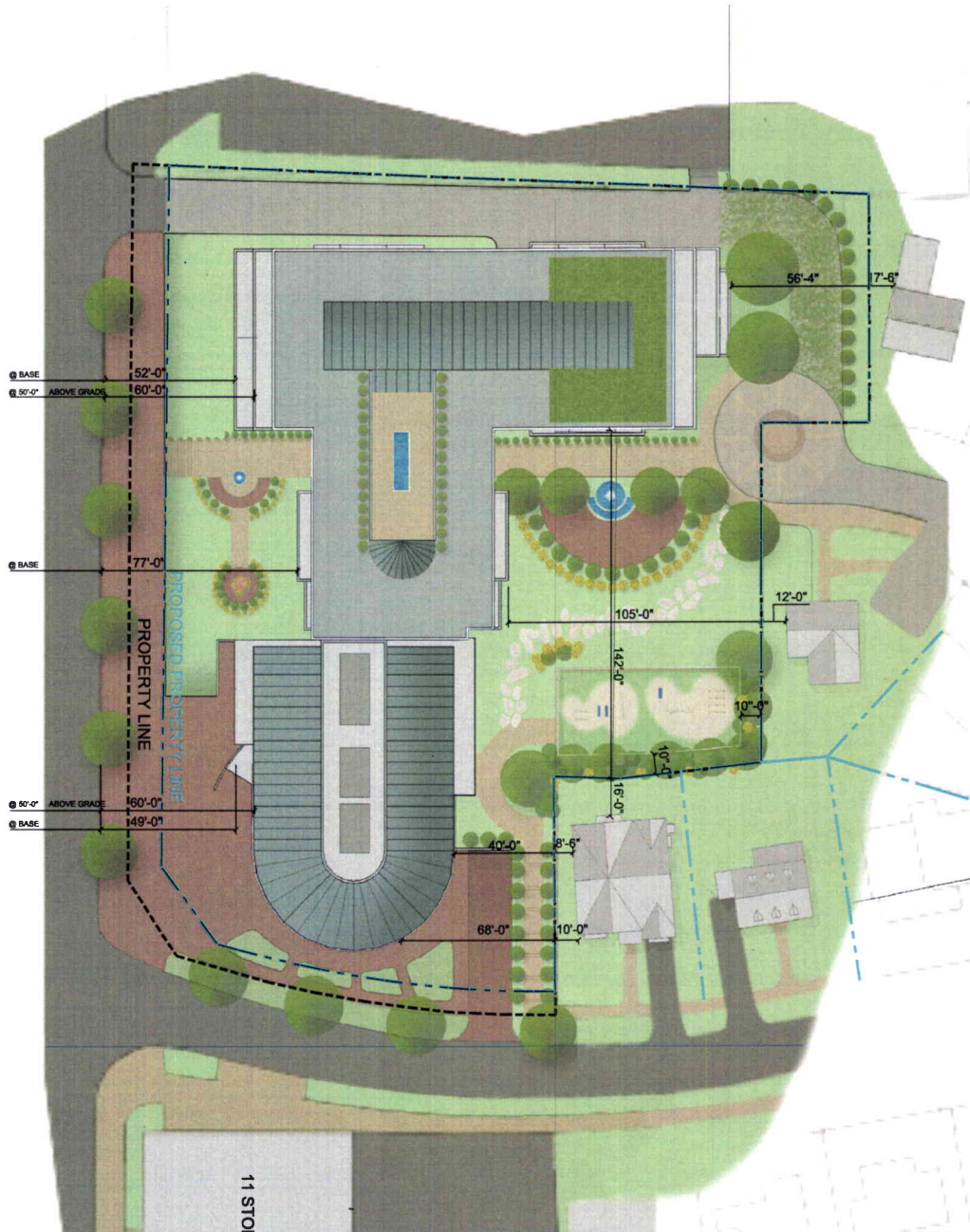
Date: 11/15/24

Sheet No. 1 of 1

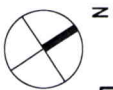


MTFA
Architecture Inc.
 2311 Wilson Blvd Arlington, VA 22201
 703-524-6516 Fax 524-6518 mtfa.net

GREEN SPACE/COVERAGE EXHIBIT
 CHRIST EVANGELICAL LUTHERAN CHURCH/COMMUNITY CENTER
 AND CONDOMINIUMS



EXISTING
 11 STORY OFFICE BUILDING



	GREEN SPACE/ PEDESTRIAN COVERAGE
	GREEN ROOF COVERAGE
	PATTERNED SIDEWALK COVERAGE
	VEHICULAR COVERAGE
	ROOF/TERRACE COVERAGE

SUMMARY OF GREEN SPACE CALCULATIONS

Gross area including abandonment's prior to dedications:	87,417sf
Green Space requirement: 50% or	43,708.5sf
Coverage calculation is based on the following:	
a. Physical building footprint:	35,220sf
b. Gross vehicular coverage including and parking:	10,279sf
	43,499sf
Green Space at grade including pedestrian walkways:	41,918sf
Green Space on roof required to achieve 50% overall Green Space:	1,790.5sf
Sum of Green Space provided to meet minimum Green Space requirement:	43,708.5sf
Green Space proposed on roof:	4,000sf
Green Space proposed at grade:	41,918sf
Sum of Green Space proposed on site:	45,918sf
Green Space coverage ratio: (45,918 / 87,417)	52.0%
Green Space proposed on roof:	4%
Green Space proposed at grade:	48%
Percentage of Required Green Space proposed on roof:	4%
Percentage of Required Green Space proposed at grade:	96%

Date: 11 - 22 - 06
 Revised: 06 - 05 - 08
 Revised: 08 - 22 - 08
 Revised: 06 - 05 - 09
 Revised: 12 - 07 - 09

Drawn By: P.M.
 Checked By: _____
 Job #: 03011
 Sheet #: A0.1r



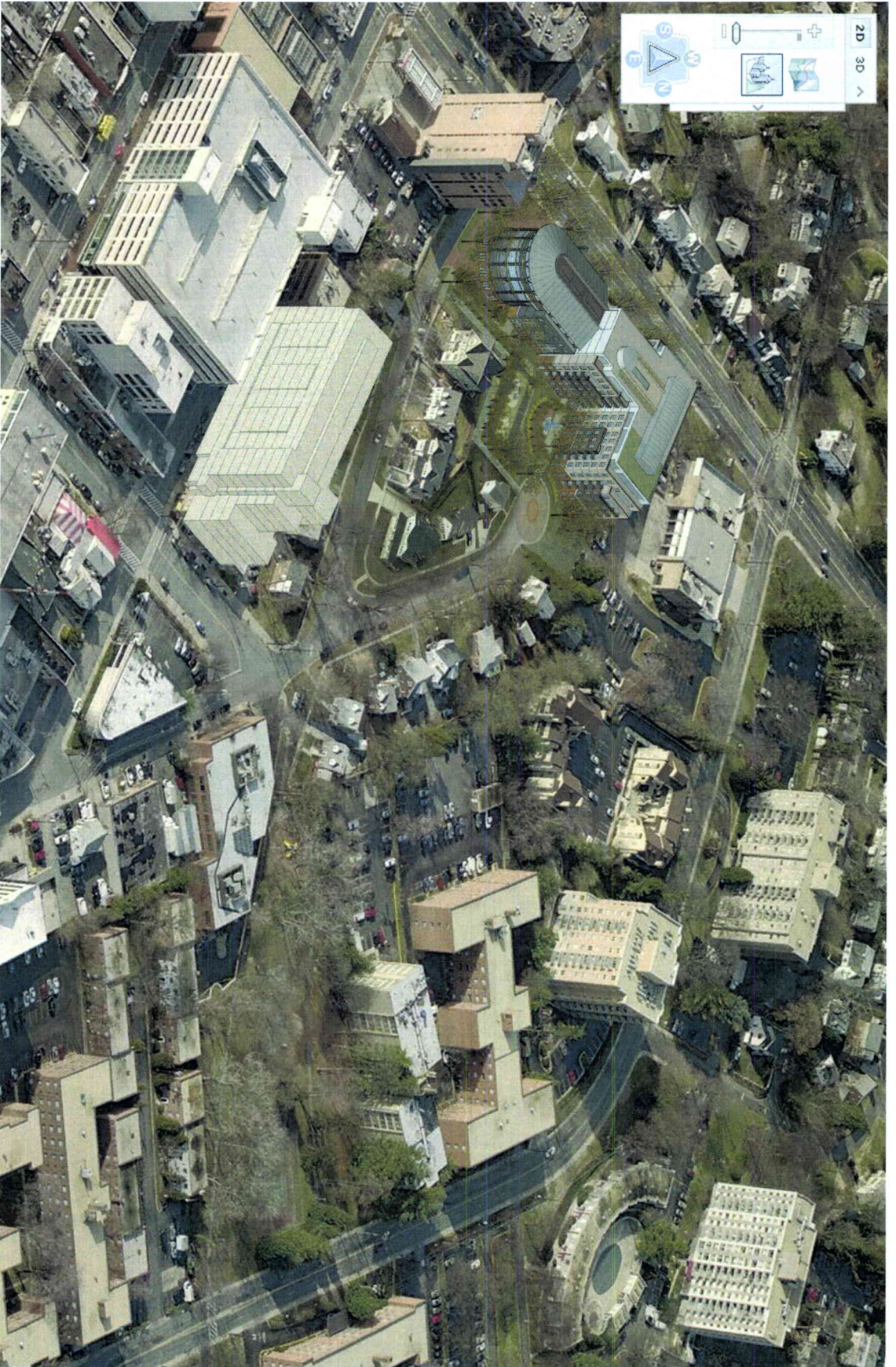
MTFA
 Architecture inc.
 2311 Wilson Blvd Arlington, VA 22201
 703-524-8616 Fax 524-8616 mta.net

BUILDING CONTEXT VIEW
 FROM OLD GEORGETOWN ROAD
 CHRIST EVANGELICAL LUTHERAN CHURCH/COMMUNITY CENTER
 CONDOMINIUMS

Date: Issue:
 REVISED 06-05-09
 REVISED 07-09-09
 REVISED 12-07-09
 REVISED 01-15-10

Job # 03011 Sheet #
 Drawn By PAV Checked By

A4.7r



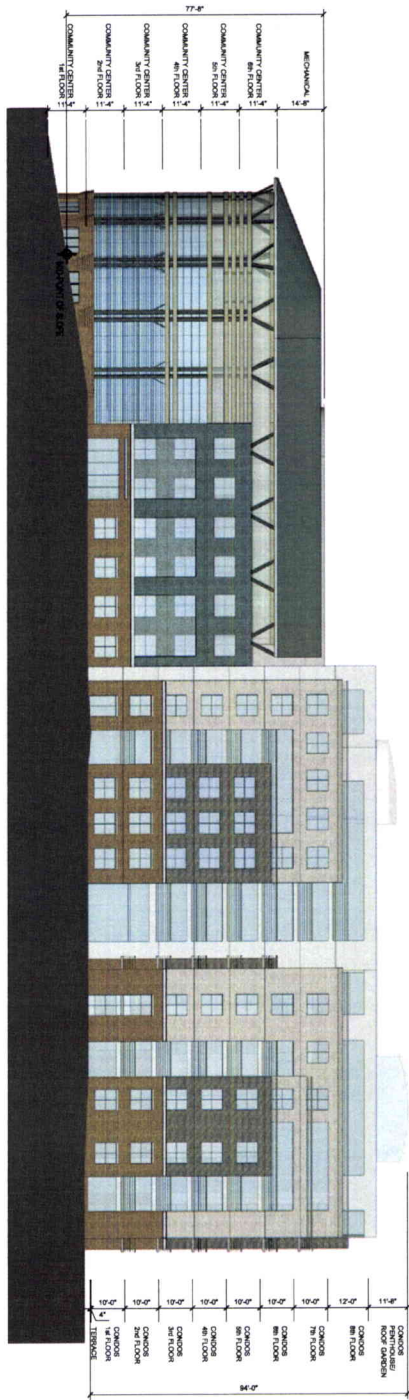
MTFA
 architecture inc.
 2311 Wilson Blvd, Arlington, VA 22201
 703-524-0818 Fax: 524-0819 mtfa@mtfa.com

BUILDING CONTEXT VIEW
 FROM RUGBY ROAD
 CHRIST EVANGELICAL LUTHERAN CHURCH/COMMUNITY CENTER
 CONDOMINIUMS

Date: Issue:
 REVISED 06 - 05 - 09
 REVISED 07 - 09 - 09
 REVISED 12 - 07 - 09
 REVISED 01 - 15 - 10

Job # 03011
 Drawn By: PML
 Checked By:

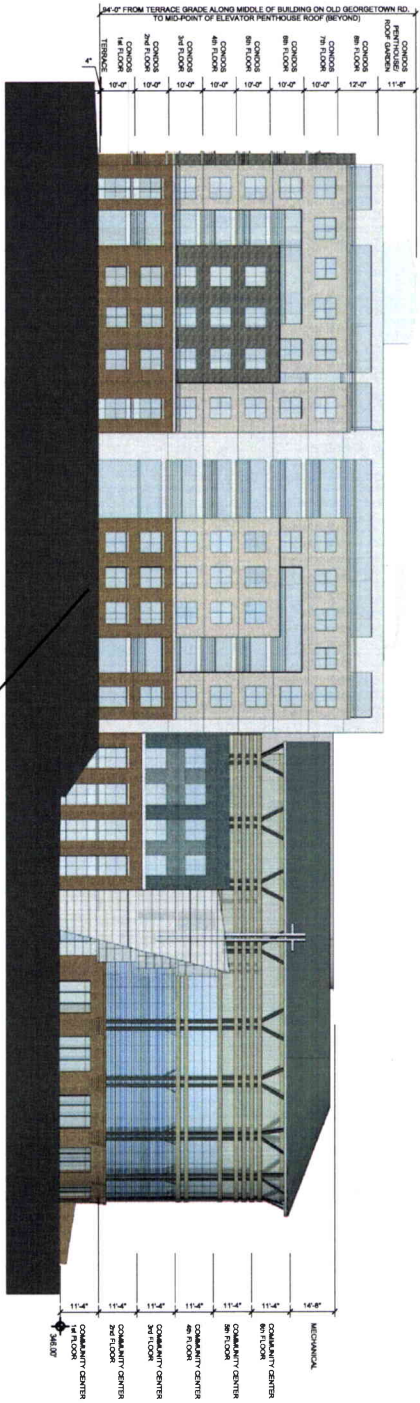
Sheet #
A4.8r



2 Rudyz Road Elevation

CHURCH & COMMUNITY CENTER

CONDOMINIUMS



1 Old Georgetown Road Elevation

CONDOMINIUMS

LANDSCAPING

CHURCH & COMMUNITY CENTER



architectural interior planning
 2371 York Road, Arlington, VA 22203
 Tel: 703.861.1111 Fax: 703.861.1199 www.mtfa.com

CHRIST EVANGELICAL
 LUTHERAN CHURCH
 COMMUNITY CENTER
 AND
 CONDOMINIUMS
 Montgomery County, MD

DATE: 11.22.08
 DRAWN BY: M.A.L.
 CHECKED BY: M.A.L.
 REVISIONS: 07.28.08
 NUMBER: 1.28.08

Client: P&J
 Designer: P&J
 Scale: 1/8" = 1'-0"
 Sheet Title: Condos & Community Center Elevations
 © 2011, 2008 ALL RIGHTS RESERVED
 Sheet # A2.1f



architectural elevation rendering
 2311 Yorkton Road, Alexandria, VA 22307
 703.463.9979 or 703.544.9979 (fax)

CHRIST EVANGELICAL
 LUTHERAN CHURCH/
 COMMUNITY CENTER
 AND
 CONDOMINIUMS
 Montgomery County, MD

DATE: 11.22.06
 DRAWN BY: J.A.L./J.P.
 CHECKED BY: J.A.L./J.P.
 REVISIONS:
 NO. DATE BY
 1 11.22.06 J.A.L./J.P.
 2 11.22.06 J.A.L./J.P.

Client: Christ
 P/U: P/U
 Scale: 1/16" = 1'-0"
 Sheet Title: Condos & Community Center Elevations
 ALL RIGHTS RESERVED
 6/18/11, 2008
 Sheet # A2.2F



2 Glenbrook Road Elevation

CHURCH / COMMUNITY CENTER

CONDOMINIUMS BEYOND



1 Side Alley Elevation

CONDOMINIUMS

CHURCH BEYOND

A2.2F

CEL: Residential / Church / Community Center – Summary Matrix of Area & Dimensional Changes – Comparison of Previous Plan to Remand Revision
(1/15/2010)

Setbacks	Previous Plan	Remand Revision	Change
Front-Residential to Curb	60 ft @ 50' HT and above	60 ft @ 50' HT and above ¹	0 ft.
Front-Church/Community Center to Curb	52 ft @ 50' HT and above	60 ft @ 50' HT and above ²	8 ft.
Rear - Residential to Wash Lot 10	15 ft.	105 ft.	90 ft.
Rear - Residential to Sunday Lot 8	57 ft. 6 in.	56 ft. 4 in.	1 ft. 2 in.
Rear - Church/Community Center to Estreicher Lot 5	11.5 ft.	40 ft.	28.5 ft.
Side - Residential to Estreicher Lot 5 & Dunn Lot 6	20 ft.	142 ft.	122 ft.
Maximum Building Height	106 ft ³	94 ft ⁴	(12) ft.
<i>Floor Area</i>			
Floor Area – Residential	188,884 sq. ft.	175,000 sq. ft. ⁵	(13,884) sq. ft.
Floor Area - Church/Community Center Uses	64,314 sq. ft. ⁶	53,000 sq. ft. ⁷	(11,314) sq. ft.
Combined Floor Area	253,198 sq. ft.	228,000 sq. ft.	(25,198) sq. ft.
<i>Green Space</i>			
Green Space at Grade	36,326 sq. ft.	41,918 sq. ft. ⁸	5,592 sq. ft.
Green Space on Roof	13,545 sq. ft.	4,000 sq. ft.	(9,545) sq. ft.
Combined Green Space	49,871 sq. ft.	45,918 sq. ft.	(3,953) sq. ft.
<i>Foot Print</i>			
New Building Foot Print at grade	36,420 sq. ft.	35,220 sq. ft.	(1,200) sq. ft.
Existing Building Foot Print at grade	5,402 sq. ft.	0 sq. ft.	(5,402) sq. ft.
Gross Vehicular Coverage	12,334 sq. ft.	10,279 sq. ft. ⁹	(2,055) sq. ft.
Total Bldg Foot Print at grade & Gross Vehicular Coverage	54,156 sq. ft.	45,499 sq. ft.	(8,657) sq. ft.

¹ The base of the building is setback 52 feet from the curb where the building height is less than 50 feet and the building is setback 60 feet where the building height is 50 feet and above.
² The base of the building is setback 49 feet from the curb where the building height is less than 50 feet and the building is setback 60 feet where the building height is 50 feet and above.
³ The residential building height shown in the Previous Plan was 114 feet, which was based on a more conservative measurement using the average elevation of finished ground surface along the front of the building. For comparison purposes to the Remand Revision Plan, the equivalent height is approximately 106 feet.
⁴ Building height was measured per Zoning Ordinance, which permits the height above the street grade to increase by the height of the terrace.
⁵ Provides 107 units, including 17 MPDUs, to achieve the sector plan objective of providing more housing near the metro station.
⁶ This figure consists of approximately 54,514 square feet of the new community center building and approximately 9,800 square feet of the existing church building.
⁷ The additional church community use space allows the church to achieve its mission to provide expanded services, which are greatly needed in the community.
⁸ A portion of the green space on the roof from the Previous Plan was moved to grade level in the Remand Revision Plan and concentrated in a critical area to increase compatibility for greater community benefits.
⁹ Surface parking spaces from previous plan were removed and all proposed parking spaces are located underground.



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

MEMORANDUM

TO: Carlton Gilbert, Planner Coordinator,
Development Review/ Zoning

VIA: Stephen D. Federline, Master Planner, Environmental Planning *SD*

FROM: Lori Shirley, Planner Coordinator, Environmental Planning *LS*

SUBJECT: Christ Evangelical Lutheran Church (CELC)
Local Map Amendment G-864 - Remand

DATE: January 27, 2010

Environmental Planning staff has reviewed the Remand of Zoning Application G-864 referenced above. These comments are for your consideration for the requested zoning change from R-60 to the PD-44 zone (107 dwelling units) as these relate to the scope of the Remand.

In staff's judgment, the revised Development Plan submittal provides sufficient information to make an affirmative finding that the proposal is compatible with the Bethesda CBD Plan and the standards of Zone PD-44 in regard to environmental planning and forest conservation considerations. Staff supports approval of the preliminary forest conservation plan, subject to Board affirmation of staff recommendations and subsequent District Council approval as part of the Council's action on the Development Plan in accord with Section 59-D-1.4.

The principal reasons in support of these conclusions are:

- 1) The proposed preliminary forest conservation plan is in compliance with the County's Forest Conservation Law Chapter 22A-12(f)(2)(D), as it provides for minimum levels of afforestation on-site through use of tree canopy.
- 2) Traffic noise impacts to the proposed residential use, and possible noise impacts from the proposed use on adjoining properties, will be mitigated as part of subsequent reviews. The applicant must demonstrate compliance with the MNCPPC Noise Guidelines and the Montgomery County Noise Ordinance.
- 3) The stormwater management concept will be subject to the state's new SWM standards requiring environmental site design (ESD) to the maximum extent practicable (MEP). The county's version of the SWM legislation and regulations are currently in process of development. Staff

Christ Evangelical Lutheran Church (CELC) – Local Map Amendment G-864 -
Remand

supports deferral of the formal SWM concept approval to later reviews, and request that minor administrative amendments to the development plan be allowed to achieve ESD to the MEP.

Background

In early December 2008, the Hearing Examiner recommended denial of G-864. At oral argument in February 2009, the District Council found that further proceedings on this matter, including consideration of any revised development plan that the applicant may submit, will serve the public interest. As an action item, the District Council approved the following resolution:

LMA G-864 is remanded to the Hearing Examiner to reopen the record to permit the Applicant to amend its development plan consistent with the findings of the Hearing Examiner in LMA G-864 regarding compatibility with the master plan, the purposes and standards of Zone PD-44, and the surrounding neighborhood.

Master Plan Compliance

The site is in the Woodmont Triangle Sector Plan of the Bethesda Central Business District (CBD). Two parts of the Bethesda CBD Environmental Resources chapter relate to noise (mobile and stationary sources) and stormwater management considerations (for purposes of compatibility and improved water quality, respectively).

Noise Impacts

Staff anticipates traffic noise impacts from Old Georgetown Road traffic will affect the proposed residential uses. This will be addressed during preliminary plan and site plan review. A noise impact analysis will be required to determine noise impacts to residential units and to open public spaces in relation to Old Georgetown Road, with recommendations as to how such impacts will be mitigated.

Stationary noise impacts (from fixed sources such as commercial heating/air conditioning units, generators and heat pumps, etc.), and on-site mobile sources (equipment with back-up beepers, solid waste/recyclables vehicles and collection equipment, and other delivery vehicles) serving proposed land uses are locally controlled through standards in the Montgomery County Noise Ordinance. Proper site design is essential to minimize or eliminate violations to the Noise Ordinance, and to reduce the occurrence of nuisance situations. Both mobile and stationary noise sources will be addressed in respective subsequent development reviews to comply with the Master Plan.

Stormwater Management

The previously approved Stormwater Management Concept Plan expired in July 2009. This original plan included green roofs, grass swales and underground facilities, the latter methods typical of pre-ESD requirements. On December 8, 2008, Environmental Planning received an *Overview of Updated Stormwater*

Management Concept Plan information from the applicant's engineer. The Overview acknowledges the site will likely be subject to the State's Environmental Site Design (ESD) requirements to address the state's 2007 SWM regulations that become effective May 2010. The ESD stormwater techniques, used to the maximum extent possible (MEP) will be used to provide quality control and recharge. Incorporation of ESD in the site's new stormwater concept plan will address compliance with Master Plan water quality concerns.

Environmental Guidelines

The site is located in a highly urban area developed well before modern SWM and environmental regulations were adopted. It is located in the Lower Mainstem Bethesda Use I subwatershed of the Lower Rock Creek watershed. The subwatershed is designated as Urban Watershed Restoration Area where the Countywide Stream Protection Strategy supports cost-effective stormwater quality controls on redevelopment sites, such as the subject site. Two specimen and four significant trees are on-site, all of which are proposed to be removed; a variance is needed. One significant tree is on adjacent property at a common property line.

Regulatory Considerations

Local Map Amendment G-864 Remand materials include a revised preliminary Forest Conservation Plan (PFCP). The Planning Board reviews the PFCP concurrently with the development plan in the G-864 Remand. The District Council's action on the PFCP is regulatory and binding as prescribed in Chapter 22A-11(b)(2)(C) as follows:

(C) Condition of approval. The forest conservation plan will be reviewed by the Planning Board concurrently with the development plan, project plan, preliminary plan of subdivision or site plan as appropriate. The forest conservation plan, as may be amended by the Board, must be made a condition of any approval of the development application. For a development plan, a Planning Board recommendation to the District Council on the preliminary forest conservation plan must be made under Section 59-D-1.4.

Forest Conservation

The site is subject to Chapter 22A Montgomery County Forest Conservation Law. Remand materials include a revised Preliminary Forest Conservation Plan (PFCP). A Planning Board recommendation on the preliminary forest conservation plan must be made to the District Council as part of the development plan approval process. As a development plan is under review in G-864, the District Council's action is regulatory for the PFCP.

The 2.01-acre site has no existing forest. A forest conservation requirement of 15% (or 0.28 acres) of on-site afforestation must be provided in a Planned

Development zone in accord with Section 22A-12(f)(2)(D) *Retention, reforestation, and afforestation.*

(D) If a site covered by this subsection is unforested, on-site afforestation must equal the applicable afforestation threshold.

The proposed preliminary forest conservation plan is in compliance with the County's Forest Conservation Law (Chapter 22A-12(f)(2)(D)), as it provides for minimum levels of afforestation on-site through use of tree canopy. Meeting the afforestation requirement for the requested zone through use of tree canopy is an acceptable forest conservation concept, with details necessary to finalize the concept to be resolved during subsequent reviews. The revised PFCP shows the afforestation requirement being met on-site with canopy coverage credit (i.e., planting of five large and 15 medium shade trees).

Staff recognizes the site has limitations to successful tree growth relating to the intensity of proposed redevelopment (the extent of impervious surfaces) and soil limitations (including soil volume and compaction). At subsequent final FCP review, the long-term maintenance of the 15% afforestation tree planting will be addressed. Trees planted for satisfy afforestation requirements must be clearly identified/ labeled for this purpose on the Landscape Plan.

Forest Conservation Variance

On October 1, 2009, Maryland Senate Bill 666 (SB 666) became law statewide and mandated new criteria into all local forest conservation laws. Bill 666 identifies certain individual trees as high priority for protection. If a forest conservation plan cannot be altered to protect these individuals, the applicant is required to submit a variance to remove trees.

In general, the variance provision of Bill 666 applies to all trees 30" DBH and greater; trees that are 75% the diameter of the county champion for that species; and rare, threatened and endangered species. Since this project did not obtain approval of a Preliminary Forest Conservation Plan prior to October 1, 2009 and the applicant is proposing to remove two specimen trees greater than 30 inches DBH, a variance is required. The applicant has submitted a variance to remove two trees.

Montgomery County Code 22A (Forest Conservation Law (FCL)) Section 22A-21(c) requires the Planning Board to refer a copy of each request to the County Arborist in the Montgomery County Department of Environmental Protection and other appropriate officials or agencies for a written recommendation prior to action on the request. The County Arborist has 30 days to comment. If the County Arborist does not provide a recommendation within 30 days the recommendation is presumed to be favorable. In this case, the variance request was referred to the Montgomery County Arborist within the Montgomery County Department of Environmental Protection (DEP) on November 4, 2009. The

Christ Evangelical Lutheran Church (CELC) – Local Map Amendment G-864 -
Remand

County Arborist has not forwarded review comments for the variance request. As such, the County Arborist's lack of recommendation for the variance request is therefore presumed to be favorable.

Forest Conservation Law, Section 22A-21(e) states that the Planning Board must make findings that the applicant has met all requirements of this section before granting a variance. Forest Conservation Law Section 22A -21(d) states that a variance must *not* be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

Findings

1. *Will confer on the applicant a special privilege that would be denied to other applicants.*

The requested variance will not confer on the applicant any special privileges that would be denied to other applicants. Both trees requested to be removed are located interior to the project site inside the proposed limit of disturbance (LOD). These trees are identified on the NRI/FSD as ranging from "good" to "poor" condition.

The two specimen trees range in size from 46" DBH (#72, a box elder) to 39" DBH (#74, a tree of heaven (non-native invasive species). Neither tree is a champion tree, nor 75% of the DBH of the state champion tree for that species. Staff does not consider these circumstances as unique since many new or redevelopment applications will often necessarily and unavoidably result in the loss of a specimen tree or trees.

2. *Is based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the applicant. The requested variance is based on site layout and design for a redevelopment of the site includes a senior housing component in the PD-44 zone. An alternate site layout would not alter the need for the removal of these two specimen trees.

Christ Evangelical Lutheran Church (CELC) – Local Map Amendment G-864 -
Remand

3. Arises from a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.

The requested variance is a result of the existing poor condition of one specimen tree and the fact that the second specimen tree is a non-native invasive, and not as a result of land or building use on the property.

4. Will violate State water quality standards or cause measurable degradation in water quality.

The requested variance will not violate State water quality standards or cause measurable degradation in water quality. In this case, the two specimen trees proposed for removal are not within a stream buffer, wetland or a special protection area, and as such it is presumed that the removal of these individual trees would not cause a measurable degradation to water quality. In the requested planned development zone, the site has a 15% afforestation requirement that must be met on-site. The PFCP shows the requirement met with credit for tree planting and canopy credit.

As a result of the above findings Environmental Planning staff recommends the approval of the applicant's request for a variance from Forest Conservation Law to remove the two specimen trees. The variance approval is assumed into the Planning Board's affirmation of the preliminary forest conservation plan (PFCP) and as part of the District Council's action on the PFCP.

SDF:LS



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

MEMORANDUM

DATE: January 21, 2010

TO: Carlton Gilbert
Build Division

VIA: Bill Barron, South Central Team Leader
Vision Division

FROM: Crystal Myers 
Vision Division

N'kosi Yearwood
Vision Division

SUBJECT: Zoning Case G-864

Staff recommendation:

Approval. The revised development plan for G-864 is consistent with the *2006 Approved and Adopted Bethesda-Woodmont Triangle Amendment to the Bethesda CBD Master Plan* and compatible with the surrounding community. G-864 was recently remanded by the Montgomery County Council for the applicant to amend its development plan consistent with the Hearing Examiner's findings regarding compatibility with the master plan and with the purposes and standards of the PD-44 Zone.

Background

The Christ Lutheran Church site is a 1.8 acre property located at the intersection of Glenbrook Road and Old Georgetown Road in Bethesda. The Church is requesting reclassification of its property from the Single-Family Residential (R-60) zone to Planned Development (PD-44) zone. The proposed development would replace the existing structures on the site. The application proposes a 53,000 square foot church/community and social services center and 107 multi-family dwelling units.

G-864 was recently remanded for the applicant to amend its development plan consistent with the Hearing Examiner's findings regarding compatibility with the master plan and

with the purposes and standards of the PD-44 zone. Although technical staff and the Planning Board had recommended approval of the original submission, the Hearing Examiner recommended that the case be denied on the grounds that the size, bulk and locations of the new construction proposed for this site would be incompatible with single-family homes in the immediate vicinity.

The Approved and Adopted (2006) Woodmont Triangle Sector Plan envisions the Woodmont Triangle Study Area as a vibrant mixed use urban neighborhood within the Bethesda Central Business District (CBD). The revised development plan satisfies several goals of the Plan, including the provision of housing and improving the safety, character and attractiveness of existing streets.

Sector plan recommendations for the church site and the neighboring single-family R-60 zoned properties along Rugby Avenue and Glenbrook Road are discussed under the Block 19 section of the plan. Block 19 recommendations include the following:

Properties along Rugby Avenue, Glenbrook Road and Old Georgetown Road at the western corner of the Study Area are currently zoned R-60. This Plan recommends PD-44 zoning provided that issues of compatibility with existing single-family homes can be addressed. This would allow the near-term redevelopment of the single-family detached homes, some of which have recently been renovated. At the time of rezoning, any application should be reviewed to determine compatibility with existing single-family homes, both north and south of Old Georgetown Road. In addition, the rezoning should not be allowed to result in multi-family development surrounding or isolating a limited number of single-family homes (p.23)

The PD-44 zone is recommended for the Church property and requires that compatibility issues with the existing single-family homes, both north and south of Old Georgetown Road be addressed at the time of rezoning.

Analysis

The revised development plan is consistent with the recommendations of the Woodmont Triangle Amendment. The Plan's recommendations for the site establish compatibility with the single-family dwellings north and south of Old Georgetown Road as a threshold issue in any rezoning in Block 19. The project also must be consistent with the Sector Plan's general goals for the planning area. Compatibility normally entails comparing the relationship between the proposed development as it relates to existing development, especially in terms of height, setbacks, and mass.

Height

The Plan establishes building height limits to "protect the neighborhoods at the edge of the CBD and to concentrate building height near the Metro station" (p.11). Therefore,

compatibility with the houses north and south of Old Georgetown Road requires that the height on the project follow the Plan's height limit goals. The height limits in the Plan guide new development to transition from the high density core of the Bethesda Central Business District (CBD) to the low density residential communities outside the CBD.

The Plan identifies three main height recommendations for the Woodmont Triangle area in the Building Heights Limits section on page 11:

- Step down the building heights from the Metro station to the edges of Central Business District
- Protect the sunlight to the area's main street, Norfolk Avenue
- Limit the height along Old Georgetown Road north of St. Elmo Avenue to 50 feet extending 60 feet back from Old Georgetown Road to maintain compatibility with existing development

These goals are illustrated in the building height map on page 12 and explained in the recommended zoning by block table on page 22. The map and table show that the height limits follow the Plan's "step down" approach. They also show that the 50 foot building height limit within the 60 foot setback area applies only to the properties between St. Elmo Avenue and Glenbrook Road. As for the subject site, the map shows that there is no height limit on the front portion of the property along Old Georgetown road.

Guidance for the appropriate building height on the front portion of the site is found in looking at the height recommended for the surrounding blocks with similar density recommendations. The closest block, block 20, is on the CBD edge. The blocks at the CBD edge have heights lower than the maximum heights permitted in the CBD, 200 feet. On page 12, the CBD heights in the Woodmont Triangle vary from 50 feet to 200 feet, with the maximum building height nearest the Metro. Additional height may be achieved through the provision of Moderately Priced Dwelling Units (MPDUs). Buildings that are in the CBD-1 zone, which is the CBD zone closest to the proposed development, may be increased up to 110 feet using the MPDU bonus provisions.

The multi-family building as shown on the revised development plan is 94 feet in height (including the penthouse and mechanicals) and the church/community and social services center building is 78 feet in height (including mechanicals). These heights are lower than the maximum building heights shown in the Plan for properties in the CBD-1 zone. Further, the varied heights of the multi-family building and the church/community and social services building contribute to achieving the step down principle in the Sector Plan. Furthermore, the proposed multi-family building and the church/community and social services center maintain a 50 foot height before increasing to their full height after the 60 foot setback. Though it was not required on this site, restricting the height to 50 feet continues the Plan's recommendation for the properties along Old Georgetown Road. Staff notes that this contributes to the project's height compatibility with the Sector Plan's height recommendations.

The height in the front portion of the project is compatible with the houses north and south of Old Georgetown. The height is consistent with the step down approach set by the Plan to maintain compatibility with the surrounding communities.

Height Compatibility with the Houses North of Old Georgetown

The Woodmont Triangle Amendment and the 1994 Bethesda CBD Sector Plan recommended a 35 foot height limit over for the back portion of the site and over the single family homes along Rugby Avenue and Glenbrook Road. This is a stable residential enclave adjacent to the Bethesda CBD. Some of these houses have been renovated and expanded within the last few years indicating long-term use by the property owners.

The mass and shape of the proposed buildings contributes to the project's compatibility with this community. The building heights map shows that Lots 9 and 11 on Rugby Avenue and Lot 4 on Glenbrook Road are within the 35 foot height limit of the Sector Plan. Lots 9 and 11 are fully included in the project's setback so these lots are in compliance with the 35 foot height. Lot 4, however, is only partially included in the proposed setback. The church/community and social services center building, which is 78 feet, intrudes approximately 19 feet in width within the 35 foot height limit. This portion of the building in the lower height area is curved, which reduces the overall mass and scale of the church/community and social services center. The proposed setback is 40 feet to property line to the adjacent dwelling on Glenbrook Road. Furthermore, the setback areas at the rear of the multi-family building, which includes open space and a play area, establish a compatible relationship with the single-family dwellings to the immediate north. Therefore, the project's building heights are sufficiently compatible with the houses north of Old Georgetown Road

Height Compatibility with the Houses South of Old Georgetown

Battery Park is a single-family residential community south of Old Georgetown Road between Glenbrook Road and Battery Lane. The Battery Park Community is within the Bethesda-Chevy Chase (1990) Master Plan. The Master Plan recommends the preservation of the residential character of Old Georgetown Road from the Beltway south to Glenbrook Road. And, the Plan reconfirmed the R-60 zone and encourages continued single-family detached residential use along Old Georgetown Road (p. 59).

The height of the building is distributed to improve its compatibility. The first portion of both the church/community and social services center building and the multi-family building are approximately 50 feet. Given the relationship between the proposed 50 foot height for both buildings along Old Georgetown Road, and the 100 foot width of Old Georgetown Road the proposed height is compatible with the single-family dwellings to the immediate south. The project is sufficiently compatible with the houses south of Old Georgetown Road.

Setbacks

Setbacks establish a measure to judge compatibility. The proposed building setbacks from the existing houses north and south of Old Georgetown need to be sufficient enough to mitigate negative impacts on the existing residences. Guidance to determine if these setbacks are sufficient enough to mitigate the negative impacts on the neighboring residences is found by using the zoning ordinance.

The ordinance does not have a setback requirement for PD zoned sites in close proximity to a central business district. The proposed development is adjacent to the Bethesda CBD. Therefore, an acceptable setback range for this site is determined by looking at the setback requirement for the existing R-60 zone and the PD zone. Under the PD zone, for sites not close to a CBD, buildings must not be constructed to a height greater than their distance from adjoining land uses. Therefore, in non-CBD areas the PD zone specifies a 1 to 1 relationship between the building height and its setback distance from other land uses. The minimum setback in a PD zone is 100 feet for sites in areas not close to a CBD. Since the subject site is in close proximity to a CBD, 100 feet setback is at the high end of a minimum setback range for this area. In an R-60 zone, the minimum setback is 30 feet from any detached residence so a 30 foot setback would be at the lower end of acceptable minimum setback for this area.

Setback Compatibility with the Houses North of Old Georgetown

Along Glenbrook Road, the building is setback from the property line of the Eistrecher property, 40 feet. The setback to the Wash and Sunday properties on Rugby Ave setback are 105 feet and 56 feet, respectively. These setbacks are greater than the lower end of the range so the setbacks are compatible with the houses north of Old Georgetown Road.

Setback Compatibility with the Houses South of Old Georgetown

The community south of Old Georgetown Road is separated from the site by Old Georgetown Road. Along Old Georgetown Road, the multi-family building is setback from the curb of Old Georgetown Road between 52 feet to 70 feet. In addition, the church/community and social services center is setback between 49 feet to 60 feet from Old Georgetown Rd. All of these setbacks are greater than the lower end of the range.

Furthermore, Old Georgetown Road is classified as a major highway with a right-of-way of 100 feet. The single-family dwellings across are setback approximately 40 feet from the Old Georgetown Road. As proposed, the 78 foot church/community and social services center is 60 feet from the curb of Old Georgetown Road and the 84 foot multi-family building is setback between 52-70 feet from the curb of Old Georgetown Road. As a design principle for compatibility, the relationship between the 100 foot road right-of-way and the building heights for both buildings is within a one-to-one ratio. The design of multi-family building shown on the revised development plan reduces the overall mass of the structure, while creating a larger setback from Old Georgetown Road. Therefore, the setbacks are compatible with the houses south of Old Georgetown Road.

Conclusion

Vision Division Planning Staff recommends approval of the revised development plan.



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

January 7, 2010

MEMORANDUM

TO: Carlton Gilbert, Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning Division

FROM: Ed Axler, Planner/Coordinator
Transportation Planning Division EA

SUBJECT: Christ Evangelical Lutheran Church/Community Center
Local Map Amendment No. G-864 Remand
Bethesda Central Business District Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject remanded local amendment map application. The Applicants are proposing to redevelop the existing site with a rebuilt house of worship, community center, and a child daycare center.

RECOMMENDATIONS

We recommend the following conditions as part of the APF test for transportation requirements related to the approval of the subject remanded local amendment map application:

1. The land uses on the site must be limited to a house of worship, community center, 125-children child daycare center, and 107 high-rise apartments.
2. At the time of preliminary plan review, the Applicants must satisfy the following conditions:
 - a. Satisfy the Policy Area Mobility Review (PAMR) test by mitigating the impact of their new peak-hour vehicular trips within the weekday morning peak period (6:30 to 9:30 a.m.) and evening peak period (4:00 to 7:00 p.m.) based on the mitigation requirements at the time of preliminary plan submission.
 - b. Participate in the Bethesda Transportation Management Organization (TMO).

- b. Provide 16 bicycle parking spaces that include three inverted-U bike racks in a weather-protected area near the main public entrance for visitors to the high-rise apartment building and 10 bike lockers for residents in the parking garage located within 50 feet of the elevators. The Transportation Planning staff will determine the ultimate location of the bicycle facilities prior to approval of certified site plan.

DISCUSSION

Site Location, Parking, and Vehicular Access Points

The subject site is located on the east side of Old Georgetown Road (MD 187) between Glenbrook Road and the Bethesda/Chevy Chase Rescue Squad. The table below was updated since the 2007 review and indicates the number and location of parking spaces and the vehicular access points by the time of day for each land use on the site.

Land Use on the Site	No. of Parking Spaces - Location	Enter Point	Exit Point	Predominant use of Access: Day &/or Time of Day
House of Worship	62 spaces on 1 st Level	Primary = Glenbrook Rd Secondary = Old Georgetown Rd	Primary = Glenbrook Rd Secondary = Old Georgetown Rd	Sunday
Community Center				Weekdays, Middays & Weekends
Child Daycare Center - Staff Trips				Weekdays AM & PM Peaks
Child Daycare Center - Parents Trips	N/A	Primary = Old Georgetown Rd Secondary = Glenbrook Rd	Glenbrook Rd	Weekdays AM & PM Peaks
High-Rise Apartments - Residents' Trips	174 spaces in the garage	Primary = Old Georgetown Rd Secondary = Glenbrook Rd	Primary = Old Georgetown Rd Secondary = Glenbrook Rd	Weekdays AM & PM Peaks
High-Rise Apartment - Visitors' Trips	N/A	Rugby Avenue & Glenbrook Rd	Rugby Ave & Glenbrook Rd	Any Time
Deliveries/Loading Dock for all on-site Land Uses	On west side of the Apartment Building adjacent to Firehouse	Old Georgetown Rd	Old Georgetown Rd	Any Time

Available Transit Service

Bethesda Metrorail Station is located 2,800 feet to the south of the subject site. Although no transit service is available along Glenbrook Road and Rugby Avenue, Metrobus routes J-1, J-2, J-3, and J-9 and Ride-On routes 30, 34, 47, and 70 operate along Old Georgetown Road.

Pedestrian Facilities

Sidewalks exist along Old Georgetown Road, Glenbrook Road, and Rugby Avenue. The existing intersections have been marked with crosswalks and equipped with pedestrian signal at studied intersections.

Master-Planned Roadways and Bikeway and Prior Public Right-of-Way Abandment Action

In accordance with the *Bethesda CBD Sector Plan*, Glenbrook Road and Rugby Avenue are designated as business district streets with recommended 80-foot right-of-way. Old Georgetown Road is designated as a major highway, M-4, with a recommended 110-foot right-of-way. In accordance with the *County Functional Master Plan of Bikeways*, a shared signed roadway, SR-7, is designated along Glenbrook Road.

Montgomery County Resolutions No. 16-834 and 16-835 were approved on February 3, 2009 to abandon the rights-of-way at the road’s dead end section of Rugby Avenue and the public alley on the west side of Glenbrook Road, respectively. The Planning Board supported the Abandonment Cases No. AB 699 and 700, respectively, at its public meeting held on January 3, 2008.

Sector-Planned Transportation Demand Management

The site is located in the Bethesda Transportation Management District. The Applicant must participate in the Bethesda TMO to assist in achieving the non-auto-driver mode share goal for employees and residents in the Bethesda CBD as described in Recommendation No. 2b.

Local Area Transportation Review (LATR)

The currently proposed mixed-use redevelopment has not changed the size or type of land uses compared with the previously land uses analyzed for the Planning Board’s public hearing on September 6, 2007. The proposed land uses would generate the following peak-hour trips within the weekday morning and evening peak periods:

Table 1: Site-Generated Vehicular Trips

Type of Land Use	Number of Staff Persons or Units	Weekday Peak Hour			
		Morning		Evening	
		New	Total	New	Total
Existing House of Worship	(Replacement Only)	N/A	N/A	N/A	N/A
Replaced Community Center	(Replacement Only)	N/A	N/A	N/A	N/A
Expanded Child Daycare Center	25 Total Staff	13	61	17	68
Proposed High-Rise Apartments	107 Units	32	32	32	32
Subtotal of Proposed Land Uses- Peak-Hour Trips		45	93	49	100
Existing Child Daycare Center	14 Existing Staff	-13	-42	-11	- 45
Net Increase in Peak-Hour Trips		38	+51	38	+55

A traffic study was required to satisfy the LATR, because the proposed mixed-use redevelopment generates 30 or more total peak-hour trips during the weekday morning and evening peak hours. The Critical Lane Volumes (CLVs) at the studied intersections are shown in Table 2 below:

Table 2: The CLV at the nearby Studied Intersections

Traffic Condition	Congestion Standard	Weekday Peak Hour	Traffic Condition		
			Existing	Background*	Total
Old Georgetown Road and Battery Lane	1,800 Bethesda CBD	Morning	1,139	1,139	1,139
		Evening	1,320	1,320	1,323
Old Georgetown Road and the Site Access	1,800 Bethesda CBD	Morning	----	----	992
		Evening	----	----	962
Old Georgetown Road and Glenbrook Road	1,600 Bethesda/ Chevy Chase	Morning	997	997	1,003
		Evening	1,026	1,026	1,044
Old Georgetown Road and Auburn Avenue	1,800 Bethesda CBD	Morning	949	949	961
		Evening	1,035	1,035	1,047
Glenbrook Road and the Site Access	1,800 Bethesda CBD	Morning	----	----	156
		Evening	----	----	128
Glenbrook Road and Rugby Avenue	1,600 Bethesda/ Chevy Chase	Morning	150	150	163
		Evening	150	150	165

As indicated with an asterisk, the CLVs in the existing traffic condition are the same as the CLVs in the background traffic condition. The CLVs at all studied intersections are less than the appropriate congestion standard.

Policy Area Mobility Review

The Applicants must satisfy the Policy Area Mobility Review test based on the mitigation requirements at the time of preliminary plan submission. To clarify the mitigation requirement if the preliminary plan application was submitted today, the calculation would be as follows:

As a development located in the overall Bethesda/Chevy Chase Policy Area, the required trip mitigation is 30% of the new peak-hour vehicular trips generated by the proposed land uses within the weekday morning and evening peak periods. As calculated on the second to the last row in Table 3 below, 17 new trips must be mitigated based on using Countywide trip-generation rates. However 15 of these 17 new peak-hour trips are mitigated by being located in a Metrorail station policy area that has viable non-auto transportation alternatives. In Table 3 below, the trip credit is determined by subtracting the difference between:

1. The number of new peak-hour trips based on using the lower trip-generation rates for developments located in the Bethesda CBD and
2. The number of new peak-hour trips based on higher trip-generation rates used on a Countywide basis.

Table 3: Trips Mitigated by being Conveniently Located near a Metrorail Station

Land Use	No. of Units	New Peak Hour Trips	
		Morning	Evening
Starting Base Condition using Countywide Trip-Generation Rates			
High-Rise Apartments	107 units	46	51
Expanded Child Daycare Center	+25 staff persons	13	17
Base Vehicular Trips		52	57
Resultant Base Condition using Bethesda CBD Trip-Generation Rates			
Resultant Peak-Hour Trips from in Table 1		38	38
Reduction: Base minus Resultant Condition		14	19
PAMR 30% New Site-Generated Trips		16	17
Additional Trips to be Mitigated		+2	+2

Thus, two new peak-hour PAMR trips must be satisfied at the time of preliminary plan described in Recommendation No. 2a.

EA:tc

cc: Bill Barron
Steve Kaufman
Mike Lenhart

mmo to Gilbert re Christ Evan Luth Church G-864 Remand.doc



November 9, 2009

MEMORANDUM

TO: Carlton Gilbert
Coordinator
Development Review Division

FROM: Elza Hisel-McCoy, Assoc. AIA, LEED-AP *EH*
Coordinator
Development Review Division

SUBJECT: Development Review Comments on Local Map Amendment Remand for
Application G-864, Christ Evangelical Lutheran Church

The proposed Development Plan, as revised to address concerns about compatibility, meets the purposes of the Planned Unit Development (PD) zones. The attractive design transitions between higher- and lower-intensity uses between Battery Lane and Old Georgetown Road, as well as along Old Georgetown Road at the threshold of the Central Business District (CBD). For the lower-density development to the north, the increased building setbacks and modified landscape design provide a buffer from the existing adjacent single-family housing while maintaining and reinforcing the pedestrian linkages into the community, including to nearby Battery Lane Urban Park. Along Old Georgetown Road, the building setbacks, building height, and contemporary civic architecture marry the deeper yards of the single-family homes to the west and the office buildings of the CBD to the east, providing a public space at the community center entrance that has the potential to provide an attractive, inviting civic character.

Staff finds much to recommend in this proposal, and looks forward to reviewing the plan in greater detail at Site Plan, in particular the landscape and hardscape plans, the greater use and integration of Environmental Site Design (ESD) for stormwater management, and the details of the public space design.

Resolution No.: 16-1201
Introduced: October 27, 2009
Adopted: December 1, 2009

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Planning, Housing, and Economic Development Committee

SUBJECT: Amendment to the FY09-14 Capital Improvements Program
Montgomery County Public Schools
Bethesda-Chevy Chase Cluster ES Solution

Background

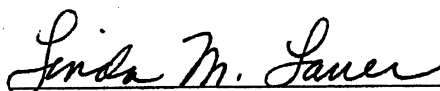
1. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
2. The Planning, Housing, and Economic Development Committee recommends adding this project to program sufficient funds to design and construct twenty permanent elementary school classrooms in the Bethesda-Chevy Chase (B-CC) high school cluster. These classrooms would meet capacity requirements under the Growth Policy, ending a residential moratorium in the B-CC cluster. It is anticipated that ultimately the Board of Education will request one or more specific projects that will add these classrooms by the start of the 2014-2015 school year, and that these funds would be used for that purpose.
3. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY09-14 Capital Improvements Program of the Montgomery County Public Schools is amended as reflected on the attached project description form.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council