

**Project Plan 920120010 & Preliminary Plan 120120070, Bethesda Center**

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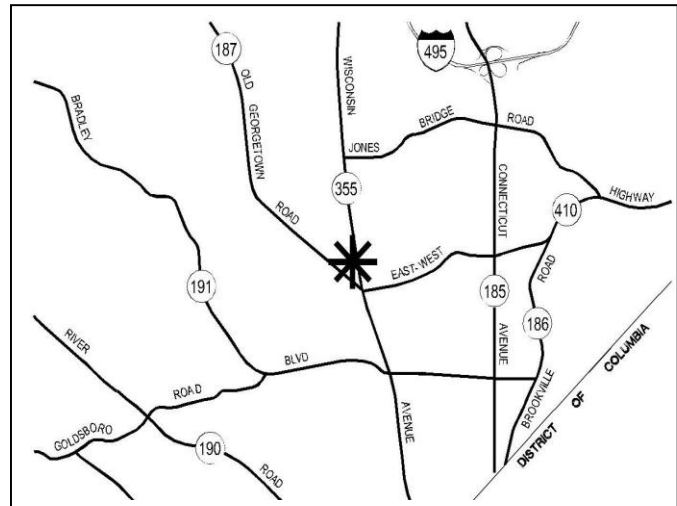
**Date of Staff Report:**  
12/01/11

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**Description**

To include:

- Removal of existing structures located at 7740, 7720, 7756 and 7752 Wisconsin Avenue for 466,470 s.f. of mixed-use redevelopment including a hotel, office and retail.
- Located between Woodmont Avenue and Wisconsin Avenue south of Norfolk Avenue.
- On 93,294 gross square feet (2.14 acres) of CBD-2 zoned land in the Bethesda CBD Sector Plan area.
- Applicant: The Bethesda Center, LLC, filed on August 25, 2011



- Staff recommends approval of the project and preliminary plan with conditions.
- The proposed development will provide ground floor retail uses, a hotel and office space. It proposes to use the full density allowed under the optional method of development and intends to accommodate the proposed density with underground parking and the provision of a public amenity package that includes art/water features and a pedestrian mews that allows circulation between Woodmont and Wisconsin Avenues directly to the Bethesda Metro.
- The property owner to the south (Bethesda Place) has expressed concerns regarding impacts to their property resulting from the new development including building locations and design. The applicant has made revisions to the proposed design that will help ameliorate this condition, however, opposition to the proposal remains.
- The applicant has revised their original design to eliminate a proposed Lay-By for hotel pick up/drop off and valet service due to Department of Transportation (“DOT”) concerns.
- Staff and applicant disagree on the number of trips that must be mitigated as part of the PAMR requirements.

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## SITE DESCRIPTION

### Vicinity

The subject property is located between Woodmont Avenue and Wisconsin Avenue just south of Norfolk Avenue. The adjacent uses include the Montgomery County parking garage #11 directly across Woodmont Avenue, the Tastee Diner located to the north on Norfolk Avenue and Bethesda Place, a 14-story commercial building located directly on the southern property line. The site is within walking distance of the Bethesda Metro station.



Vicinity Map

## Site Analysis

The Bethesda Center site consists of lots 7 and 12, Sunnyside, and parts of lots 525-526, parts of lots 527-529, parts of lot 530-532 and parcels 086 and 087 Woodmont. The gross tract area is 93,294 square feet when prior right-of-way dedications are taken into account. The subject property is currently improved with the Manor Inn Bethesda hotel, a two-story commercial building known as the Connor Building with a surface parking lot, a one story restaurant and a surface parking lot used to provide valet service for a nearby restaurant. The key features of the site are the hotel and office building surrounded by surface parking. There are no significant grades across the site or substantial trees or other vegetation.

There are no known rare, threatened, or endangered species on site; there are no forests, 100-year floodplains, stream buffers, wetlands, or steep slopes on site. There are no known historic properties or features associated with the property.



*Aerial Photo Looking South*





*Illustrative Landscape Plan*

with a hotel lobby entrance on Woodmont Avenue, and retail space facing onto Wisconsin Avenue at street level. To the north is an 11-story office building with the office lobby/entry and retail space facing onto Wisconsin Avenue and additional retail facing Woodmont Avenue. The two buildings are separated by a 35-40 foot-wide pedestrian pass-through or mews that connects Woodmont to Wisconsin Avenue, providing a stronger connection from the Woodmont area to the Bethesda Metro. The structured parking below ground accommodates up to 760 parking spaces, as well as loading areas dedicated for the hotel, retail, restaurant and offices uses. The buildings will be a maximum 143' on the southern boundary stepping down to 122' on the northern edge. The hotel is configured into a "v" shape to maximize light and air for the hotel while minimizing the impact on the existing building to the south.



*View from Woodmont Avenue*



*View from Wisconsin Avenue*

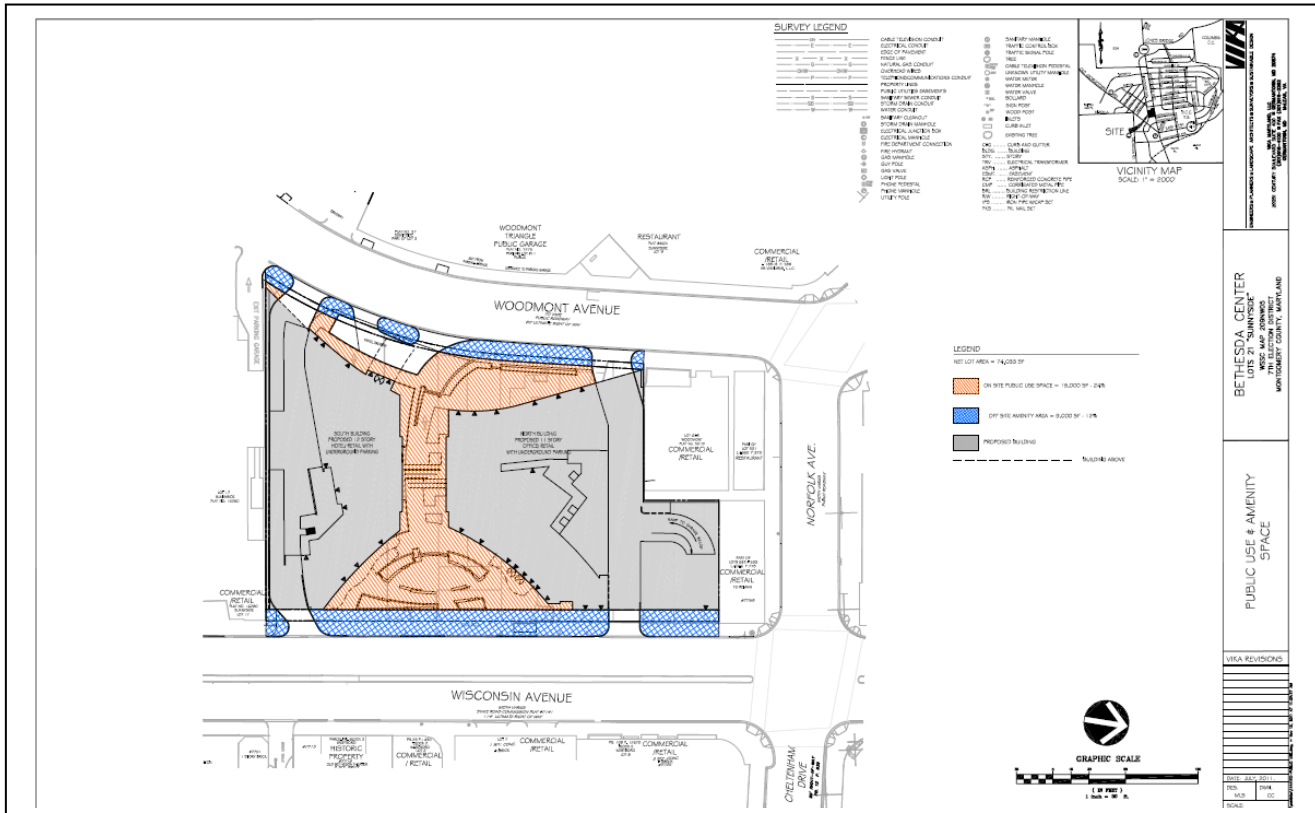


The two buildings are designed to create a concave opening onto Woodmont Avenue to mimic the curve of the street and allow space for an enhanced streetscape and pedestrian experience. The buildings are aligned in the same way on Wisconsin Avenue with a concave curve to provide a large public open space. The office and hotel facades will have similar architectural treatments to reinforce the sense of unity in the open space that they form. They will be constructed of modern materials such as aluminum and glass curtain wall, stone and precast architectural concrete. Both buildings will have a minimum of a 50% green roof, and the Project is designed to achieve, at a minimum, a USGBC LEED Silver certification level. The detailed specifications of the building architecture and façades, as well as all public amenities and their integration into the landscape and architecture, will be further developed with the site plan submission.

**Public Amenities**

The proposed development would provide 18,000 square feet of on-site public use space and 9,000 square feet of off-site public amenity space. The on-site space is primarily composed of a hardscape plaza that incorporates best management practices for storm water management as part of the planting design. The off-site amenity space would improve the existing sidewalks along the frontages of Woodmont and Wisconsin Avenues by installing an upgraded and wider streetscape per the Bethesda Streetscape Standards.

The public open space is designed to allow a connection between Woodmont Avenue and Wisconsin Avenue for pedestrians travelling between the Woodmont Triangle area and the Bethesda Metro station. The plan keeps the main pedestrian pathways to the edge of the open space while the area in the center is reserved for public gathering with seating, shade plantings, fountains and public art. On the Woodmont Avenue side the open space will be dedicated to retail seating and a drop-off/porte



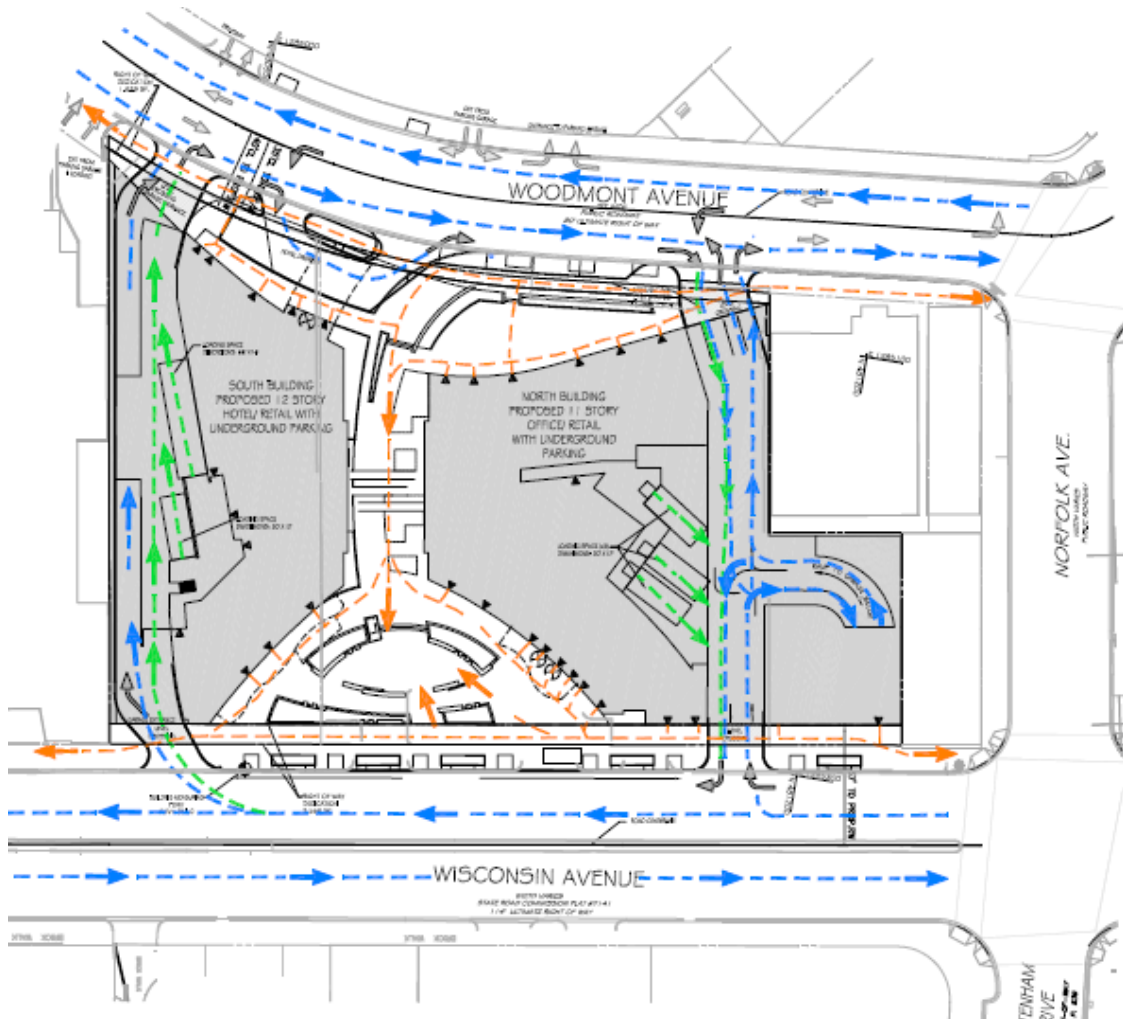
*On and Off-Site Public Use Space*

cohere for the proposed hotel. On the Wisconsin Avenue side the public open space will be for un-programmed uses such as an informal meeting place, or a place for local employees of nearby office buildings to eat lunch. The proposed water features in this space will attract children while softening traffic noise from Wisconsin Avenue.

The final details of the proposed open space and public amenities will be determined during the review of the site plan.

### Vehicular and Pedestrian Circulation

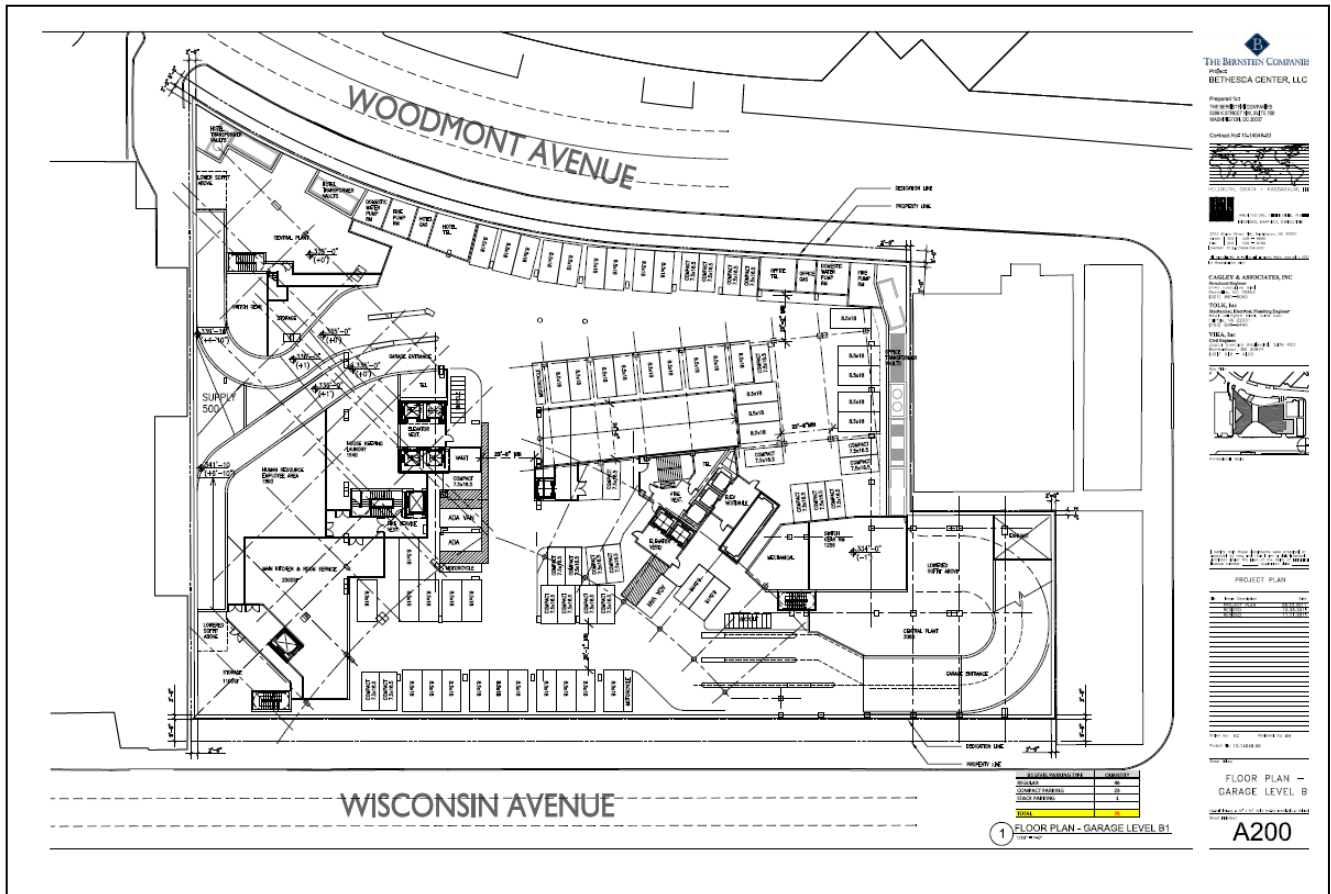
Vehicular access points to the site are located at the corners of the site to maximize vehicular circulation, including service, valet, loading and parking, for the proposed uses within the site boundary. This enables stronger pedestrian routes on the sidewalks and through the site allowing minimal conflicts with vehicles. Trucks will access the hotel at the south east curb cut and exit at the southwest curb cut on Woodmont Avenue. For the office building on the northern half of the site, trucks will enter at the northwest curb cut on Woodmont Avenue and exit at the northeast curb cut on Wisconsin Avenue. Car parking for the office or retail uses can be accessed from three separate points of ingress (two off



Circulation Plan

Wisconsin Avenue and one on Woodmont Avenue).

To visit the hotel, cars can enter the below-grade parking structure from either the access point on Wisconsin Avenue or from the northern access point on Woodmont Avenue. Valet service is intended to work in one of two ways. The first option is for hotel and ballroom event guests to drop off their vehicles at the on-site driveway on Woodmont Avenue where the valet service will take cars to the underground parking via the northern access point on Woodmont Avenue. The second option is for hotel guests to drop off their vehicle for valet pickup on Garage level B1. They will access the valet service from either the Woodmont Avenue or Wisconsin Avenue points in ingress.



Garage Level B1

Pedestrian circulation will be along widened sidewalks on Wisconsin and Woodmont Avenues. The proposed pedestrian connection between Woodmont and Wisconsin will provide a convenient cut-through for pedestrians travelling south from the Woodmont Triangle neighborhood to the Bethesda Metro Center at a nearly level grade between the two streets.

The Master plan of bikeways shows an on-road bike lane on Woodmont Avenue. The dedication of right of way on Woodmont Avenue will allow for designation of this bike lane at time of full restriping by the Montgomery County Department of Transportation ("MCDOT"). The applicant will explore the possibility of installing a bike share facility on site at time of site plan.

## **Community Outreach**

The application information was properly posted on the Property. On June 29, 2011, a pre-submission meeting was held, as required, and on June 15, 2011, the Applicant properly notified adjacent and confronting property owners and civic associations of the project and preliminary plan submissions. An affidavit of posting was provided to Staff by the Applicant on August 24, 2011. The Applicant and representatives of the project have met with the Bethesda Urban Partnership, the Woodmont Triangle Advisory Group, the Bethesda Chamber of Commerce and the property owners to the south of the site. Staff met with the adjoining property owners regarding their opposition to this application on two occasions to review their concerns with respect to building location and design, architecture and compatibility. Staff responded to their concerns in the findings related to compatibility and impacts to the adjacent property. Staff received a letter of support from the Bethesda Chamber of Commerce, but no other emails, letters or phone calls related to the project and preliminary plans as of the date of this report.

## **PROJECT ANALYSIS**

### **Sector Plan**

The Bethesda Sector Plan has several general goals and additional specific recommendations. While no plan can meet all of the recommended guidelines in the Plan, this project meets a majority of the recommendations and the intent of the overall goals of the Sector Plan.

#### **Downtown Environment**

The Downtown Bethesda Metro Core District is envisioned as a place that has a choice of retail, restaurant, cultural programming open space and pathways. It should also include office uses with the potential for additional residential uses. The proposed project plan provides several features that address this goal:

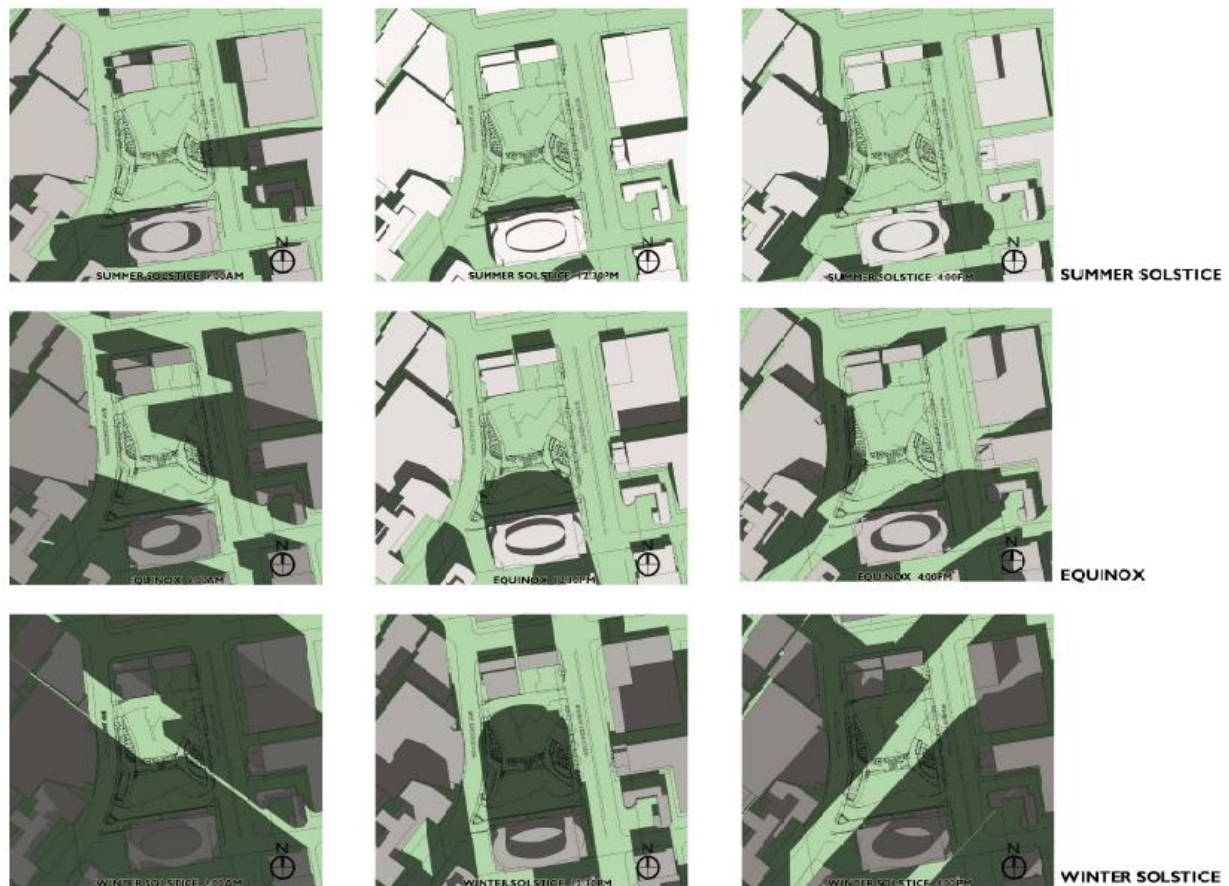
- The mix of office, hotel and retail uses fulfills the master plan goal of increasing the mix of uses;
- The public use space expands the existing network of open spaces in the area and connects to existing pedestrian routes. The design will reflect Bethesda as a “garden” through the imaginative use of on-site rain gardens and Low Impact Development techniques;
- The physical character of the public realm is well defined by building edges. The proposed open spaces shape the form of the buildings and relate well to the surrounding context of public spaces.
- The design of the architecture will add a contemporary structure to the urban fabric of Downtown Bethesda. It will provide a landmark and gateway element to Wisconsin Avenue that responds to views and vistas within the CBD. It will create a focal point that improves the orientation and strengthens the perception of a sub-center at the northern edge of the Bethesda core.
- The proposed amenities will provide an animated space through the use of waterfalls and art features.

#### **Urban Form**

In general, the Sector Plan encourages mixed-use development that includes retail, office and residential located in buildings on active streets.

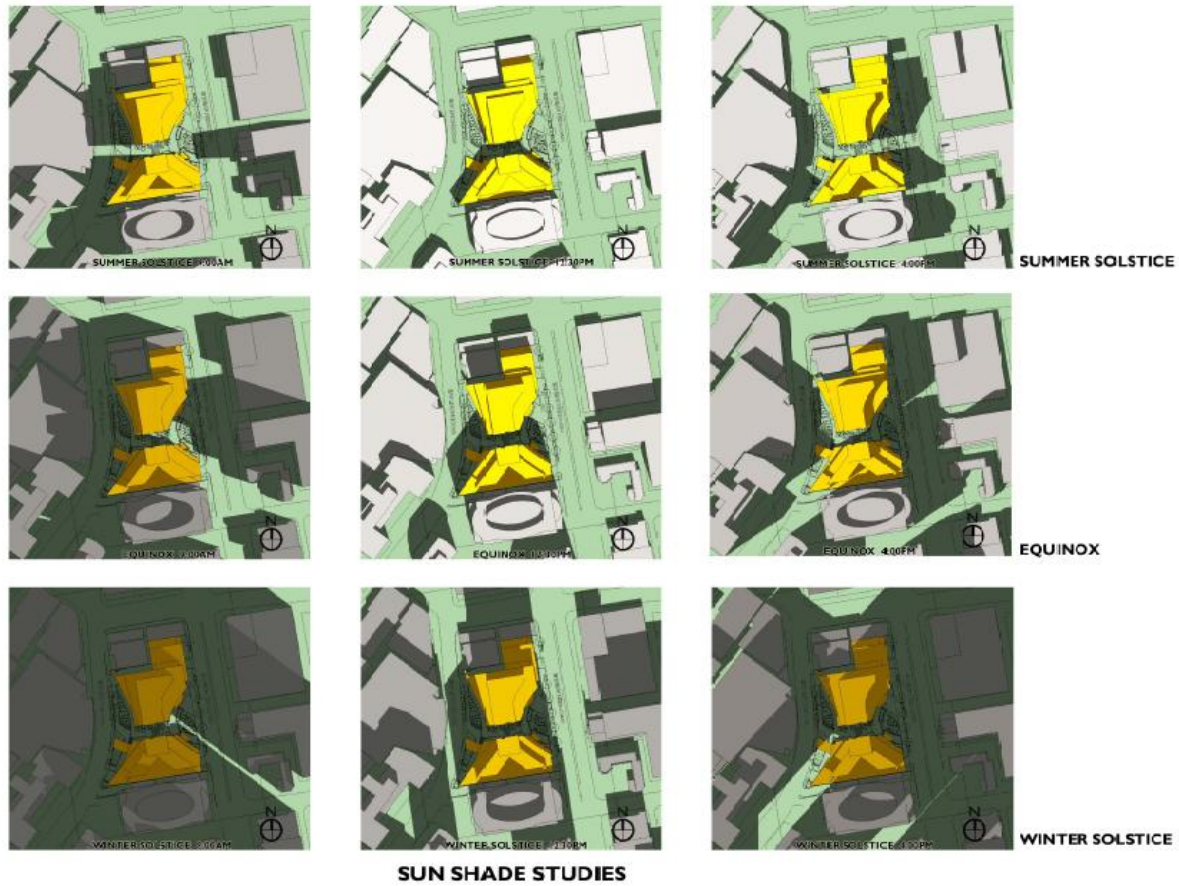
- The proposed uses will fulfill this goal by including restaurant/retail uses on the ground floor and office and hotel use above;
- The adjacent urban form will be strengthened by the creation of active street frontages both on Woodmont and Wisconsin Avenues.
- The open spaces will be activated by outdoor cafes and retail seating and open, tree-shaded plaza areas that will attract people to gather and stay.
- The new circulation connections and choices will encourage pedestrian connectivity.
- The cultural and artistic amenities will provide a sense of identity through the unique design of water features, lighting and landscaping.

With regard to building height and the surrounding context, numerous Sector Plan citations speak to



**SUN SHADE STUDIES - EXISTING CONDITIONS**

anticipated infill development with higher-density employment and housing uses downtown. The shade and massing relationships associated with this proposal show that the project does not cast shadow on presently used public areas or block direct sunlight from surrounding properties. As shown below, the greatest impact to surrounding properties is during the Equinox (months of September and March) and the Winter Solstice (December) during the morning and evening hours. The proposed building will cast the greatest amount of shade onto sections of Woodmont and Wisconsin Avenues. The noon hour change in amount of shadows cast is insignificant. Given that a significant portion of the shadows fall on roadways and only during portions of the day, detrimental impacts or adverse effects on adjacent properties are minimal. In addition the glass facades further offset the shadow effect. During the



summer months, when outdoor spaces get the most usage, the shadow impact of the proposed building is minimal on the surrounding properties, streets and sidewalks.

### Employment, Housing, & Land Use

The applicable references in the Sector Plan refer to the need for increased choices associated with retail, restaurants, cultural programming, open space and pathways in this area. The specific objectives with regard to this site are met as indicated:

- The proposal creates job opportunities by providing a variety and mix of uses including the proposed hotel, office and retail uses.
- The proposal will contribute to the affordable housing goals of Montgomery County by contributing to the Housing Initiative Fund. The applicant intends to make a payment to the fund based upon a formula of \$5 per FAR foot approved above a 4 FAR. The total payment of the maximum FAR for the project is achieved will be \$466,479 (93,294 square feet of gross tract area X 5).
- The design promotes a pedestrian and street-activating environment by applying the Bethesda Streetscape standards to frontage along Woodmont and Wisconsin Avenues.
- The development consolidates multiple properties for an optional method of development to accommodate the maximum density in the CBD.

- The infill development is more environmentally sustainable because it concentrates growth near transit and other day-to-day needs, thereby reducing vehicular travel and saving open space in our suburban and agricultural areas. In addition it proposes green roofs and bio-filtration techniques at grade that will significantly improve the quality of water flowing off-site during rain events.

### Zoning and Density

The subject site is zoned CBD-2 and proposes an FAR of 5.0 for mixed-use projects as permitted in Sect. 59-C-6.234 (b) (iii) (B) of the zoning ordinance. The proposed development meets the zoning and density goals of the Sector Plan.

### Transportation

#### Master Plan Roadways and Pedestrian/Bikeway Facilities

The July 1994 Approved and Adopted *Bethesda CBD Sector Plan* has the following master-plan facilities along property frontage:

1. Wisconsin Avenue, to the east side of the property, as a six- to eight-lane divided major highway (M-6) with a minimum right-of-way width of 114 feet.
2. Woodmont Avenue, to the west side of the property, as a two-lane arterial (A-68) with a minimum right-of-way width of 80 feet.

The 2005 Approved and Adopted *Countywide Bikeways Functional Master Plan* recommends bike lanes (BL-6) along Woodmont Avenue between Battery Lane to the north and Bethesda Avenue to the south.

### Environment

The entire proposed development is built on compacted, urban soils; there are no existing environmental features on site. Given the extraordinary amount of non-porous surfaces in our downtown environments, planting beds and roof gardens in the proposed project maximize absorption of rainfall. In addition, these planting areas will contain a variety of plantings, some of which should grow to a large size to increase the amount of overall biomass within the area. This will provide, to some extent, environmental comfort, shade, beauty, and carbon sequestration.

The site is not otherwise associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100 year floodplains or steep slopes. There are a number of street trees in the vicinity (located in the right-of-way) ranging from 3" to 17" diameter at breast height (DBH). The largest trees on the site itself are Bradford Pears, measuring up to 25" DBH, located in the existing hotel courtyard. The trees are identified as Bradford pear trees and measure up to 25" DBH. The Bradford pears are considered significant based on the Trees Technical Manual, but do not warrant special protection or analysis.

### **Development Standards**

The site is zoned CBD-2 and governed by the development standards in Section 59-C-6.2 of the Montgomery County Zoning Ordinance. The minimum lot size of 22,000 square feet for optional

method projects is met. There is no maximum building coverage for optional method projects, but there is a requirement for the provision of a minimum of 20% of the net lot area to be devoted to public use space, which this project plan also satisfies by providing a public plaza, pedestrian link and sidewalks built per the Bethesda Streetscape Standards. Third, the maximum density for optional method mixed-use projects in the CBD-2 Zone is FAR 5.0, which this project is proposing. The application can achieve a maximum FAR of 5.0 under Sect. 59-C-6.234 (b) (iii) (B) if the following provisions are met which (1) includes transient lodging, (2) confronts a major highway, (3) is located at least 250 feet from single-family zoned land, (4) is in an urban district defined in Chapter 68A, (5) has a minimum lot area of 22,000 square feet, and (6) includes a ground floor retail use (FAR). This application satisfies the provisions of the ordinance because it includes a hotel, confronts Wisconsin Avenue, and is located more than 250 feet away from single-family zoned land, is in the Bethesda CBD, proposes a lot area of 112,555 square feet and includes ground floor retail in both buildings. The height limit under the CBD-2 optional method standards is 143 feet. The height limit of 143 feet is appropriate for this CBD-2 zoned area of the Bethesda CBD and does not adversely affect the surrounding properties in any detrimental way given the urban context.

As the data table shows, all of the requirements of the zone are met by the subject project plan. Because this project is within a Parking Lot District, parking spaces are calculated to determine the total yield, but are not required to be provided on the site.



*Project Data Table for the CBD-2 Zone*

| <b>Development Standard</b>                | <b>Permitted/<br/>Required</b> | <b>Proposed for<br/>Approval and<br/>Binding on the<br/>Applicant</b> |
|--|--------------------------------|---|
| <b>Building Height (feet)</b>              | 143                            | 143   |
| <b>Setbacks (feet)</b>                     |                                |   |
| East Property Line                         | 0                              | 0   |
| North Property Line                        | 0                              | 0   |
| West Property Line                         | 0                              | 0   |
| South Property Line                        | 0                              | 0   |
| Minimum setback between proposed buildings | 0                              | 35'   |
| <b>Site Area (square feet)</b>             |                                |   |
| Net Tract Area                             | n/a                            | 74,033  |
| Prior Dedications                          |                                | 14,076  |
| Proposed Dedication                        | n/a                            | 5,185   |
| Gross Tract Area                           | 22,000                         | 93,294  |
| <b>Density</b>                             |                                |   |
| Floor Area Ratio *                         | 5.0                            | 5.0   |
| Hotel                                      |                                | 193,999   |
| Office                                     |                                | 256,672   |

|   |     |        |
|---|-----|--------|
| Retail/Restaurant                                       |     | 15,799 |
| <b>Public Use Space (% of net lot)</b>                  |     |        |
| On-Site Public Use Space                                | 20  | 24     |
| Off-Site Amenity Space                                  | n/a | 12     |
| Total Public Use & Amenity Space                        | 20  | 36     |
| <b>Parking</b>  |     |        |
| Office @ 2.1/1,000 [256,672 sf]                         | 539 |        |
| Hotel @ 0.5/# of rooms [203 rooms]                      | 102 |        |
| Assembly @ 10/1,000 [11,342 sf]                         |     |        |
| Minus 15% Metro Proximity Credit                        | 96  |        |
| Restaurant @ 25/1,000 sf for patron use area [7,713 sf] | 164 |        |
| Minus 15% Metro Proximity Credit                        |     |        |
| Retail @ 5/1,000 [4,229 sf]                             |     |        |
| Minus 15% Metro Proximity Credit                        | 18  |        |
| Total Parking Required                                  | 919 |        |
| Total Parking Provided                                  |     | 760**  |

\*The application can achieve a maximum FAR of 5.0 under Sect. 59-C-6.234 (b) (iii) (B) if the following provisions are met (1) includes transient lodging, (2) confronts a major highway, (3) is located at least 250 feet from single-family zoned land, (4) is in an urban district defined in Chapter 68A, (5) has a minimum lot area of 22,000 square feet, and (6) includes a ground floor retail use (FAR).

\*\*The applicant is using the mixed use parking calculations pursuant to Section 59-E-3.1 which will be further refined at site plan. Further, the property is located within the Bethesda Parking Lot District and may elect to provide less or no parking on the site and pay the PLD tax. Final parking calculations will be evaluated during the site plan review.

## PROJECT PLAN

### Findings

According to Section 59-D-2.43 of the Montgomery County Zoning Ordinance, in reaching its determination on a project plan the Planning Board must consider the following:

(a) The nature of the proposed site and development, including its size and shape, and the proposed size, shape, height, arrangement and design of structures, and its consistency with an urban renewal plan approved under chapter 56.

(b) Whether the open spaces, including developed open space, would serve as convenient areas for recreation, relaxation and social activities for the residents and patrons of the development and are planned, designed and situated to function as necessary physical and aesthetic open areas among and between individuals structures and groups of structures, and whether the setbacks, yards and related walkways are located and of sufficient dimensions to provide for adequate light, air, pedestrian circulation and necessary vehicular access.

(c) Whether the vehicular circulation system, including access and off-street parking and loading, is designed to provide an efficient, safe and convenient transportation system.

(d) Whether the pedestrian circulation system is located, designed and of sufficient size to conveniently handle pedestrian traffic efficiently and without congestion; the extent to which the pedestrian circulation system is separated from vehicular roadways so as to be safe, pleasing and efficient for movement of pedestrians; and whether the pedestrian circulation system provides efficient, convenient and adequate linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities.

(e) The adequacy of landscaping, screening, parking and loading areas, service areas, lighting and signs, in relation to the type of use and neighborhood.

(f) The adequacy of provisions for construction of moderately priced dwelling units in accordance with chapter 25a if that chapter applies.

(g) The staging program and schedule of development.

(h) The adequacy of forest conservation measures proposed to meet any requirements under chapter 22a.

(i) The adequacy of water resource protection measures proposed to meet any requirements under chapter 19.

As the following Findings demonstrate, the subject project plan amendment adequately addresses each of these considerations, as conditioned by the Staff Recommendation.

Section 59-D-2.42 of the Zoning Ordinance establishes the findings that must be made by the Planning Board and, in concert with the considerations enumerated above, form the basis for the Board's consideration of approval. In accordance herewith, the Staff makes the following findings:

(a) *As conditioned, the proposal complies with all of the intents and requirements of the zone.*

Intents and Purposes Of The CBD Zones

The Montgomery County Zoning Ordinance states the purposes which the CBD zones are designed to accomplish. The following statements analyze how the proposed Project Plan conforms to these purposes ( 59-C-6.213):

(1) *“To encourage development in accordance with an adopted and approved master or sector plan, or an urban renewal plan approved under Chapter 56 by permitting an increase in density, height, and intensity where the increase conforms to the master or sector plan or urban renewal plan and the site plan or combined urban renewal project plan is approved on review by the Planning Board.”*

The subject property lies within the boundaries of the Approved and Adopted 1994 Master Plan for the Bethesda Central Business District. The Plan supports mixed use development, including office uses near Metro. The Project Plan proposes a mixed-use development with 466,470 square feet of commercial uses including 256,672 square feet of office space and 15,799 square feet of restaurant/retail use. There will be 193,999 square feet of hotel space, including a ballroom on the second level of the hotel. The maximum density allowed under the CBD-2 Zone is 5.0 FAR; the proposed density is 5.0 FAR. The proposal maximizes the building height of 143 feet, which is allowed by the zone. The height and massing does not adversely affect the surrounding properties in a manner inconsistent with urban environments. The project steps down in height from 143 feet closest to the Metro Core to 122' on the northern edge furthest away from the core. This is consistent with adjoining and nearby properties, some of which have been constructed with others being approved but not yet built, including Bethesda Place located directly to the south at 143 feet, 4900 Fairmont at 174 feet to the west, and the Lionsgate to the south at 143 feet.

(2) *“To permit a flexible response of development to the market as well as to provide incentives for the development of a variety of land uses and activities in central business districts to meet the needs and requirements of workers, shoppers and residents.”*

The Sector Plan indicates that a mix of office, retail, restaurant, as well as residential uses is appropriate for the site. The current Application will provide office, retail, restaurant and hotel uses that will be visible and accessible to a greater number of pedestrians. In addition, the applicant has committed to provide a volunteer contribution to the Housing Initiative Fund as part of its amenity package. In light of the large number of residential and retail proposals in the vicinity that have recently been approved by the Planning Board, this intensity and diversity of land use conforms to the Sector Plan recommendations: both the general goals of the Sector Plan and the specific objectives of the area advocate approval of optional method projects that provide employment and housing opportunities near both transit stations and other day-to-day necessities.

The ground-floor uses and off-site public space will serve not only the weekday office workers, but also the evening and weekend residents of the CBD, bringing pedestrian activity and vitality to what is currently an underutilized space.

(3) *“To encourage designs which produce a desirable relationship between the individual buildings in the central business district, between the buildings and the circulation system and between the central business district and adjacent areas.”*

The proposed development will enhance pedestrian, cyclist, and vehicular circulation by creating a pedestrian pass-through on the site between Woodmont and Wisconsin Avenues to provide people walking to Metro a more efficient route. The layout of the vehicular circulation allows cars to efficiently drop off passengers and/or enter the site. Doors, sidewalks, elevators, and open space, will direct pedestrians in and around the site to access this and adjacent buildings and streets.

The relationship of the proposed buildings to existing buildings is typical and appropriate for a central business district. In most cases in the CBD, adjacent buildings with windows are required to be setback at least 15 feet from each other; this proposal meets that standard in order to minimize the impacts on available sunlight and existing views by setting the building back 15 feet at the 2<sup>nd</sup> floor where the building to the south has windows. This practice of providing a podium base with the building mass or tower above provides a compatible relationship for existing and proposed properties in the CBD. Measures have also been taken to limit the impact on the views of the existing building to the south.

(4) *“To promote the effective use of transit facilities in the central business district and pedestrian access thereto.”*

The proposed development is approximately 1000 feet from Metro and 100 feet from the nearest bus stop. It is a local and regional imperative that infill development is provided at such sites as an alternative to suburban sprawl. As conditioned, the location and accessibility of the proposed development to the local transit system is an excellent realization of the Sector Plan transit and sustainability goals, specifically, the provision of jobs within walking distance of the Metro and shopping areas.

(5) *“To improve pedestrian and vehicular circulation.”*

The proposed development will improve pedestrian circulation primarily through improved on-site pedestrian circulation, wider sidewalks on Woodmont and Wisconsin Avenues and the reduction and consolidation of curb cuts to promote pedestrian circulation and minimize vehicular impacts to the pedestrian environment. In addition the project will provide pick up and drop off of cars for the hotel with an on-site driveway as well as within the underground parking lot.

(6) *“To assist in the development of adequate residential areas for people with a range of different incomes.”*

The proposed development does not provide residential uses, but does provide employment and retail options for residents in the nearby Woodmont Triangle section of Bethesda, a housing resource area. The application also provides a significant contribution to the Housing Initiative Fund to promote residential opportunities within the District.

(7) *“To encourage land assembly and most desirable use of land in accordance with a sector plan.”*

As part of preliminary Plan No. 120120070, the applicant will consolidate lots 7 and 12, Sunnyside, and parts of lots 525-526, parts of lots 527-529, parts of lot 530-532 and parcels 086 and 087 Woodmont Avenue into 1 recorded lot with a net lot area of 74,033 square feet after right-of-way dedication for Wisconsin Avenue and Woodmont Drive. The application incorporates multiple properties to promote greater densities in the CBD, which also allows for stronger site designs, connected streetscapes and greater opportunities for activated public use spaces and amenities.

#### Further Intentions of the CBD-2 Zone

Section 59-C-6.213(b) of the Zoning Ordinance states:

*To foster and promote the orderly development of the CBD of the county so that these areas will enhance the economic status of the county as well as providing an expanding source of employment and living opportunities for its citizens in a desirable urban environment.*

The 12-story hotel and 11 story office building will provide employment opportunities and help fill the demand for hotels in the Bethesda CBD within walking distance from Metro and nearby residential developments. The proposed street-level retail will expand the employment base in Bethesda, contribute to the economic development of the County and provide street-level activity and after hours and weekend pedestrian activity.

#### Requirements of the CBD-2 Zone

The table on page 19 of the staff report demonstrates the conformance of the project plan with the development standards under the optional method of development. Among other standards, the proposed development meets the area, public use space, building height, and density requirements of the zone.

According to the Zoning Ordinance (59-C-6.215(b)) a further requirement of optional method projects is the provision of additional public amenities:

*“Under the optional method greater densities may be permitted and there are fewer specific standards, but certain public facilities and amenities must be provided by the developer. The presence of these facilities and amenities is intended to make possible the creation of an environment capable of supporting the greater densities and intensities of development permitted.”*

To this end, the proposed development is proffering the following package of amenities and public facilities:

## Amenities and Facilities Summary

### *On-Site Public Use Space Improvements*

- Sidewalks with specialty paving
- Art
- Lighting
- Fountains
- Low Impact Development plantings
- Seating

### *Off-Site Amenity Improvements*

- Brick paving
- Street lighting
- Street tree planting in amended soil panel
- Street furniture

### *Other amenities*

- The applicant has committed to contributing to the Housing Initiative Fund for a total payment of \$466,479 with two payments in installments of \$233,235, which equates to \$5/square foot for any FAR achieved over 4.

(b) *The proposal conforms to the approved and adopted Master or Sector Plan or an Urban Renewal Plan approved under Chapter 56.*

## Zoning and Land Use

The subject property is zoned CBD-2, which is recommended by the Sector Plan. All proposed uses are allowed in the CBD-2 Zone and the proposed development is in keeping with the general guidelines to provide employment uses in the Sector Plan. Specifically, the Sector Plan recommends employment and retail uses. The proposed office, retail and hotel uses are appropriate for the subject site and conform to the Sector Plan.

## Sector Plan Conformance

The Approved and Adopted Bethesda CBD Sector Plan is organized around several goals that the Project satisfies:

- Establishment of a vibrant and diverse downtown,
- Development by infill that complements the existing urban fabric,
- Creation of employment opportunities,
- Creation of an appealing environment for working, shopping, and entertainment.
- Creation of a circulation patterns that encourage walking, cycling, and the use of mass transit.

(c) *Because of its location, size, intensity, design, operational characteristics and staging, it would be compatible with and not detrimental to existing or potential development in the general neighborhood.*

The proposal is compatible with both existing and potential development in the general neighborhood and with adjacent properties. The project has been designed to ensure that it is physically compatible with existing and planned development in the general area. The proposed building locations are oriented in such a manner as to provide for increased light and air for the overall property and to provide for increased pedestrian activity in public areas. This applicant has made significant changes to the building design and layout in an effort to minimize negative impacts on neighboring properties and in the *general neighborhood*.

The site is located in an area of the CBD (CBD-2) with allowable densities of up to 5.0 FAR, and maximum building heights of 143 feet, for optional method of development projects, with increases up to 200 feet if the Board finds the height does not adversely affect surrounding properties. The proposed 12-story high rise of 143 feet (consistent with the sector plan) is the same height as the existing commercial office building to the south, and considerably higher than the primarily 2-3-story developments to the north and east. However, as development proceeds in Bethesda and the adjacent Woodmont Triangle, potential densities and building heights as envisioned by the Master Plan will be much higher than the existing fabric. In terms of urban design, the proposal maintains a similar building line as the existing buildings to the south and continues the pedestrian activation of Woodmont Avenue to the south. The architecture will minimize the impacts of a fairly large building upon the surrounding community by breaking-up the massing into 2 towers separated by a pedestrian mews.

Additionally, the proposed building design provides greater benefits to the adjacent properties by replacing the low density improvements on an underutilized site with dynamic buildings that capture sight lines from streets, providing green areas on the different levels of the buildings, paying attention to architecture to offer visual vantage points from adjacent buildings. The building massing fills in the void created by the existing commercial properties and surface parking and extends the character of the block created by the properties from the Metro moving northward. The benefits provided by this project, including the public use and amenities and mix of uses, justifies the additional density permitted through the optional method, negating any perceived detrimental impacts to existing or potential development in the general area. In fact, the design of the project serves to create a good precedent for urban infill redevelopment that allows the transition of the downtown area into the urban environment envisioned by the sector plan, minimizing any negative impacts associated with the proposed development and existing improvements inherent in any urban transition.

*(d) As conditioned, the proposal would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under Chapter 42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.*

The project will not overburden existing public services. The project's close proximity to the Metro Station and bus lines on Wisconsin Avenue help to promote public transportation. The proposed use will generate 441 AM peak hour trips and 471 PM peak hour trips (406 net "new" AM peak hour trips and 380 net "new" PM peak hour trips) and the study area intersections will continue to operate within the acceptable congestion standard levels. There is adequate water and sewer capacity within the Bethesda CBD Policy Area to accommodate the project.

A draft Trip Mitigation Agreement has been submitted by the Applicant and will be finalized during the site plan review process. Other public facilities exist on or near the site and no expansion or renovation



of these services will be required to be completed by the County. Further, requirements for public safety and fire will be minimally impacted due to the nature of the land use and must be approved by the respective agencies prior to preliminary plan approval.

*(e) The proposal will be more efficient and desirable than could be accomplished by the use of the standard method of development.*

A standard method project would only allow a density of 3.0 FAR or 80 dwelling units per acre on this site. Further, the requirement for public amenities would be removed and the public use space requirement would be reduced by one-half. Because infill development and density at transit hubs is a core value of smart growth and given the number and quality of public amenities being proffered, the optional method of development is much more desirable and more efficient for this particular site.

*(f) The proposal will include moderately priced dwelling units in accordance with Chapter 25A of this Code, if the requirements of that chapter apply.*

The proposed development does not require MPDUs because it does not provide any residential uses. However, the applicant has proffered a significant contribution to the Housing Initiative Fund to provide additional housing opportunities in the area.

*(g) When a Project Plan includes more than one lot under common ownership, or is a single lot containing two or more CBD zones, and is shown to transfer public open space or development density from one lot to another or transfer densities, within a lot with two or more CBD zones, pursuant to the special standards of either section 59-C 6.2351 or 59-C 6.2352 (whichever is applicable), the Project Plan may be approved by the Planning Board based on the following findings.*

The proposed development is located on one existing lot and does not propose any open space or density transfers.

*(i) As conditioned, the proposal satisfies any applicable requirements for water quality resources protection under Chapter 19.*

The proposed development is subject to the water quality resources protection requirements. The stormwater management concept was approved on September 11, 2011 and proposes to meet required stormwater management goals via ESD to the MEP by the use of green roof, micro-bioretenion. Recharge is not required for a re-development site.

## **Recommendation and Conditions**

Approval of project plan 920120010 subject to the following conditions:

1. Development Ceiling

The proposed development is limited to 466,470 square feet of gross floor area for non-residential development, including hotel.

## 2. Building Height and Mass

- a. The proposed development is limited to the building footprint as delineated in the project plan drawings submitted to MNCPPC dated November 14, 2011 unless modified at site plan review.
- b. The building height is limited to 143 feet in height for the southern building (hotel) transitioning to 122 feet in height for the northern building (office), as determined by the Department of Permitting Services approved building height measurement point.
- c. The third level of the southern building (hotel) must include an extensive green roof to provide for a passive outdoor amenity area.
- d. The south elevation of the hotel building must be substantially similar to the architectural drawings (A201-A504) submitted to M-NCPPC dated November 14, 2011.

## 3. Public Use Space and Amenities

- a. The Applicant must provide a minimum of 18,000 square feet or 24% of the net lot area for on-site public use space and a minimum of 27,000 square feet or 36% of the net lot area for on and off-site public amenity space. The final design and details will be determined during site plan review.
- b. The proposed public use space must be easily and readily accessible to the general public and available for public enjoyment.
- c. The Applicant must provide activating elements (e.g. water and public art), landscaping and other features in general conformance with the illustrative landscape plan depicted in the application, with final design at the time of site plan approval.
- d. The Applicant must present the plaza design and public artwork to the art review panel for comment prior to approval of the site plan.

## 4. Staging of Amenity Features

- a. The proposed development will be completed in one phase. A detailed development program will be required prior to approval of the certified site plan.
- b. The Applicant must complete the on-site public use space improvements prior to issuance of use-and-occupancy permits unless modified by the site plan development program.
- c. The Applicant must install the landscaping no later than the next growing season after completion of the building and site work.
- d. The Applicant must contribute a sum of \$5 per gross foot for any gross floor area exceeding 4 FAR to the Housing Initiative Fund, with payments to be made over two installments; the first payment at initial occupancy of the hotel and the second at the 1st anniversary of the initial occupancy of the hotel (with two payments in equal installments).

## 5. Maintenance and Event Management Organization

Prior to issuance of use-and-occupancy permits, the Applicant will create and implement a maintenance plan for all on-site public use space unless an alternative arrangement is made with another entity.

## 6. Coordination for Additional Approvals Related to the Review of the Site Plan

- a. The Applicant must obtain written approval from the Montgomery County Department of Transportation (DOT) for the final design and extent of any and all streetscape or other improvements within the rights-of-way.
- b. The Applicant must present preliminary and final public art and amenity concepts to the Art Review Panel prior to approval of the site plan.

- c. Provide a noise analysis addressing noise levels above grade as well as noise impacts to adjacent properties, specifically related to the hotel loading operations. Additional wall structures may be required to mitigate noise impacts.
- d. Details of the green roofs to be provided at Site Plan.

## **PRELIMINARY PLAN**

### **Findings**

#### Master Plan Conformance

As stated earlier in this report, the preliminary plan is in substantial conformance with the recommendations in the Bethesda Central Business District Sector Plan by:

- Establishment of a vibrant and diverse downtown,
- Development by infill that complements the existing urban fabric,
- Creation of employment opportunities,
- Creation of an appealing environment for working, shopping, and entertainment.
- Creation of a circulation patterns that encourage walking, cycling, and the use of mass transit.

#### Roads and Transportation Facilities

##### Adequate Public Facilities Review

A traffic study (dated October 31, 2011) was submitted by the Applicant for the subject application per the LATR/PAMR Guidelines since the proposed development was estimated to generate 30 or more peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. The traffic study determined traffic-related impacts of the proposed development on nearby roadway intersections during weekday morning and evening peak periods.

### **Trip Generation**

The peak-hour trip generation estimate for the proposed Bethesda Center development was based on trip generation rates included in the LATR/PAMR Guidelines. A site trip generation summary is provided in Table 1, which shows that the proposed development will generate 441 peak-hour trips during the weekday morning peak period and 471 peak-hour trips during the weekday evening peak period. After accounting for existing density on the site, the proposed development is estimated to generate 406 net “new” peak-hour trips during weekday morning peak period and 380 net “new” peak-hour trips during weekday evening peak period.

**TABLE 1**  
**SUMMARY OF SITE TRIP GENERATION**  
**PROPOSED BETHESDA CENTER DEVELOPMENT**

| Trip<br>Generation                       | Morning Peak-Hour |           |            | Evening Peak-Hour |            |            |
|--|-------------------|-----------|------------|-------------------|------------|------------|
|  | In                | Out       | Total      | In                | Out        | Total      |
| <b>A. Existing Density – (CBD Rates)</b> |                   |           |            |                   |            |            |
| 74-room Hotel                            | 10                | 6         | 16         | 9                 | 7          | 16         |
| 4,340 SF Restaurant(s)                   | 2                 | 1         | 3          | 6                 | 5          | 11         |
| 24,600 SF Retail                         | 8                 | 8         | 16         | 32                | 32         | 64         |
| <b>Total Trips (A1)</b>                  | <b>20</b>         | <b>15</b> | <b>35</b>  | <b>47</b>         | <b>44</b>  | <b>91</b>  |
| <b>B. Proposed Density – (CBD Rates)</b> |                   |           |            |                   |            |            |
| 256,672 SF Office                        | 327               | 58        | 385        | 96                | 289        | 385        |
| 203-room Hotel                           | 27                | 18        | 45         | 25                | 20         | 45         |
| 11,570 SF Restaurant(s)                  | 4                 | 4         | 8          | 15                | 15         | 30         |
| 4,229 SF Retail                          | 2                 | 1         | 3          | 6                 | 5          | 11         |
| <b>Total Trips (B1)</b>                  | <b>360</b>        | <b>81</b> | <b>441</b> | <b>142</b>        | <b>329</b> | <b>471</b> |
| <b>C. Net “New” Trips (C1 = B1 – A1)</b> | <b>340</b>        | <b>66</b> | <b>406</b> | <b>95</b>         | <b>285</b> | <b>380</b> |

Source: Wells and Associates, Inc. Local Area Transportation Review and Policy Area Mobility Review; October 31, 2011.  
(With Updated Density; November 28, 2011)

## Local Area Transportation Review

A summary of the capacity analysis/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak-hours within the respective peak periods from the traffic study is presented in Table 2.

As shown in Table 2, under Total (Build) traffic conditions, CLV values for intersections included in the study were estimated to be below the Silver Spring CBD congestion standards (1,600 and 1,800 CLV, respectively). Based on the analysis presented in the traffic study, it is concluded that the subject application will satisfy the LATR requirements of the APF test.

**TABLE 2  
SUMMARY OF CAPACITY CALCULATIONS  
PROPOSED BETHESDA CENTER DEVELOPMENT**

| Intersection                                      | Traffic Conditions |       |                   |       |       |       |
|---|--------------------|-------|-------------------|-------|-------|-------|
|   | Existing           |       | <i>Background</i> |       | Total |       |
|   | AM                 | PM    | AM                | PM    | AM    | PM    |
| Wisconsin Ave/Cordell Ave                         | 693                | 577   | 887               | 816   | 920   | 837   |
| Wisconsin Ave/Norfolk Ave                         | 840                | 699   | 1,022             | 920   | 1,068 | 976   |
| Wisconsin Ave/Old G'town Rd/EW Hwy                | 1,079              | 1,094 | 1,392             | 1,459 | 1,415 | 1,490 |
| Wisconsin Ave/Mont. Ln/Mont. Ave                  | 979                | 970   | 1,373             | 1,223 | 1,390 | 1,257 |
| Woodmont Ave/St. Elmo Ave                         | 660                | 664   | 734               | 735   | 772   | 747   |
| Woodmont Ave/Norfolk Ave                          | 545                | 587   | 1,056             | 835   | 1,132 | 879   |
| Woodmont Ave/Old Georgetown Rd                    | 832                | 879   | 951               | 1,035 | 960   | 1,129 |
| Woodmont Ave/Edgemoor Ln                          | 877                | 654   | 956               | 736   | 967   | 749   |
| Old G'town Rd/Edgemoor Ln/Comm. Ln                | 486                | 601   | 513               | 676   | 557   | 691   |
| Norfolk Ave/St. Elmo Ave                          | 640                | 665   | 674               | 715   | 679   | 735   |
| Old G'town Rd/Wilson Ln/St. Elmo Ave/Arlington Rd | 971                | 1,115 | 1,104             | 1,369 | 1,108 | 1,425 |

Source: Wells and Associates, Inc. Local Area Transportation Review and Policy Area Mobility Review; October 31, 2011. Note: Bethesda CBD Policy Area Congestion Standard: 1,800 CLV

## Policy Area Mobility Review

A summary of the PAMR mitigation requirement calculations for the proposed development is presented in Table 3.

To satisfy the PAMR requirements of the APF test, a development located within the Bethesda CBD Policy Area is currently required to mitigate 25 percent (25%) of “new” peak-hour trips generated by the development.

Based on the site trip generation summary presented in Table 1 (also, Table 3, Line F; 406 net “new” peak-hour trips during the weekday morning peak period and 380 net “new” peak-hour trips during the weekday evening peak period), the PAMR mitigation requirement for the proposed development is calculated as 102 peak-hour trips for the morning peak period and 95 peak-hour trips for the evening peak period.

By virtue of being located within the Bethesda CBD, the Applicant is also eligible to receive a PAMR trip mitigation credit (determined by comparing Countywide and CBD trip generation estimates for a development). This peak-hour trip mitigation credit is equivalent to the difference in trip generation (i.e., net “new” trips) between similar developments located outside the CBD (determined using Countywide trip generation rates) and located within the CBD (determined using CBD trip generation rates).

Thus, as summarized in Table 3; Line C, a development outside the CBD, similar to that proposed on the site, after discounting for existing on-site density, would generate 487 net “new” peak-hour trips during the morning peak-period (i.e., 81 more peak-hour trips than the net “new” site CBD peak-hour trips noted above) and 412 net “new” peak-hour trips during the evening peak-period (i.e., 32 more peak-hour trips than the net “new” site CBD peak-hour trips noted above). The proposed development, as a result of being located within the Bethesda CBD, will thus receive a credit of 81 peak-hour trips for the morning peak period and 32 peak-hour trips for the evening peak period towards its PAMR mitigation requirement. With the above credit, the proposed development is required to mitigate 21 peak-hour trips during the morning peak period and 63 peak-hour trips during the evening peak period. The Applicant is therefore required to mitigate 63 peak-hour trips to satisfy the PAMR requirements of the APF test.

The Applicant disagrees with the staff PAMR calculation methodology shown in Table 3 and has presented an alternative methodology as shown in Table 4, which shows that the Applicant is fully mitigating the PAMR requirement of the APF test through the credit it receives for being within the Bethesda CBD.

The difference between the two methodologies is primarily in how existing density is being considered for calculating outside CBD and/or CBD trip generation. While the Applicant methodology does not consider trips associated with existing density, the staff methodology factors in existing density and calculates a net “new” trip generation under both outside CBD and CBD scenarios before the trip credit is determined. This approach (of assessing impact of the net “new” trip generation) is consistent with the LATR analysis approach as well, where net “new” trips are typically assessed. Staff therefore believes that the staff methodology is consistent with the intent and established procedures in place to determine these credits for CBD developments. Staff also believes that this approach is consistent with language in Section II.C.2a of the *LATR/PAMR Guidelines*.

The Applicant must therefore, prior to the release of any building permit for the proposed development, pay \$737,100.00 to Montgomery County DOT to satisfy the PAMR requirements of the APF test (to mitigate 63 net “new” weekday site-generated peak-hour trips at \$11,700 per peak-hour trip).

**TABLE 3**  
**PAMR MITIGATION REQUIREMENT CALCULATION – STAFF METHODOLOGY**  
**PROPOSED BETHESDA CENTER DEVELOPMENT**

|   | Morning Peak-Hour | Evening Peak-Hour |
|---|-------------------|-------------------|
| <b>A. Existing Density – (Countywide Rates)</b> |                   |                   |
| 74-room Hotel                                   | 50                | 52                |
| 4,340 SF Restaurant(s)                          | 8                 | 32                |
| 24,600 SF Retail                                | 46                | 182               |
| Pass-by (34% of restaurant and retail)          | n/a               | -73               |
| <b>“New” Trips (A1)</b>                         | <b>104</b>        | <b>193</b>        |
| <b>B. Proposed Density – (Countywide Rates)</b> |                   |                   |
| 256,672 SF Office                               | 428               | 390               |
| 203-room Hotel                                  | 136               | 142               |
| 11,570 SF Restaurant(s)                         | 20                | 82                |
| 4,229 SF Retail                                 | 8                 | 29                |
| Pass-by (34% of restaurant and retail)          | n/a               | -38               |
| <b>“New” Trips (B1)</b>                         | <b>591</b>        | <b>605</b>        |
| <b>C. Net “New” Trips – (Countywide Rates)</b>  |                   |                   |
| <b>Net “New” Trips (C1 = B1 – A1)</b>           | <b>487</b>        | <b>412</b>        |
| <b>D. Existing Density – (CBD Rates)</b>        |                   |                   |
| 74-room Hotel                                   | 16                | 16                |
| 4,340 SF Restaurant(s)                          | 3                 | 11                |
| 24,600 SF Retail                                | 16                | 64                |
| <b>“New” Trips (D1)</b>                         | <b>35</b>         | <b>91</b>         |
| <b>E. Proposed Density – (CBD Rates)</b>        |                   |                   |
| 256,672 SF Office                               | 385               | 385               |
| 203-room Hotel                                  | 45                | 45                |
| 11,570 SF Restaurant(s)                         | 8                 | 30                |
| 4,229 SF Retail                                 | 3                 | 11                |
| <b>“New” Trips (E1)</b>                         | <b>441</b>        | <b>471</b>        |
| <b>F. Net “New” Trips – (CBD Rates)</b>         |                   |                   |
| <b>Net “New” Trips (F1 = E1 – D1)</b>           | <b>406</b>        | <b>380</b>        |
| <b>G. PAMR Mitigation Requirement</b>           |                   |                   |
| PAMR (G1 = F1 x 0.25)                           | 102               | 95                |
| <b>H. Trip Credit for CBD Location</b>          |                   |                   |
| Trip Credit (H1 = C1 – F1)                      | 81                | 32                |
| <b>I. Adjusted PAMR Mitigation Requirement</b>  |                   |                   |
| <b>(I1 = H1 – G1)</b>                           | <b>-21</b>        | <b>-63</b>        |
| [PAMR: Excess/Pass = +ve; Deficit/Fail = -ve]   |                   |                   |

**TABLE 4**  
**PAMR MITIGATION REQUIREMENT CALCULATION – APPLICANT METHODOLOGY**  
**PROPOSED BETHESDA CENTER DEVELOPMENT**

|   | Morning Peak-Hour | Evening Peak-Hour |
|---|-------------------|-------------------|
| <b>A. Existing Density – (CBD Rates)</b>        |                   |                   |
| 74-room Hotel                                   | 16                | 16                |
| 4,340 SF Restaurant(s)                          | 3                 | 11                |
| 24,600 SF Retail                                | 16                | 64                |
| <b>“New” Trips (D1)</b>                         | <b>35</b>         | <b>91</b>         |
| <b>B. Proposed Density – (Countywide Rates)</b> |                   |                   |
| 256,672 SF Office                               | 428               | 390               |
| 203-room Hotel                                  | 136               | 142               |
| 11,570 SF Restaurant(s)                         | 20                | 82                |
| 4,229 SF Retail                                 | 8                 | 29                |
| Pass-by (34% of restaurant and retail)          | n/a               | -38               |
| <b>“New” Trips (B1)</b>                         | <b>591</b>        | <b>605</b>        |
| <b>C. Net “New” Trips – (Countywide Rates)</b>  |                   |                   |
| <b>Net “New” Trips (C1 = B1 – A1)</b>           | <b>556</b>        | <b>514</b>        |
| <b>D. Existing Density – (CBD Rates)</b>        |                   |                   |
| 74-room Hotel                                   | 16                | 16                |
| 4,340 SF Restaurant(s)                          | 3                 | 11                |
| 24,600 SF Retail                                | 16                | 64                |
| <b>“New” Trips (D1)</b>                         | <b>35</b>         | <b>91</b>         |
| <b>E. Proposed Density – (CBD Rates)</b>        |                   |                   |
| 256,672 SF Office                               | 385               | 385               |
| 203-room Hotel                                  | 45                | 45                |
| 11,570 SF Restaurant(s)                         | 8                 | 30                |
| 4,229 SF Retail                                 | 3                 | 11                |
| <b>“New” Trips (E1)</b>                         | <b>441</b>        | <b>471</b>        |
| <b>F. Net “New” Trips – (CBD Rates)</b>         |                   |                   |
| <b>Net “New” Trips (F1 = E1 – D1)</b>           | <b>406</b>        | <b>380</b>        |
| <b>G. PAMR Mitigation Requirement</b>           |                   |                   |
| PAMR (G1 = F1 x 0.25)                           | 102               | 95                |
| <b>H. Trip Credit for CBD Location</b>          |                   |                   |
| Trip Credit (H1 = C1 – F1) or (H1 – B1 – E1)    | 150               | 134               |
| <b>I. Adjusted PAMR Mitigation Requirement</b>  |                   |                   |
| <b>(I1 = H1 – G1)</b>                           | <b>+48</b>        | <b>+39</b>        |
| [PAMR: Excess/Pass = +ve; Deficit/Fail = -ve]   |                   |                   |



### Environment

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) #420111760 for the site was approved on 7/1/2011. The urban site is located within 2 separate watersheds; Little Falls Branch, a use-class I-P watershed and the Lower Rock Creek, a use I watershed.

The submitted Preliminary Forest Conservation Plan (PFCP) identifies an afforestation planting requirement of 0.33 acres. The planting requirement will be met by payment of fee-in-lieu. A condition of approval is recommended that the forest conservation planting requirements be satisfied prior to land disturbing activities occurring onsite.

### Stormwater Management

The MCDPS Stormwater Management Section approved the storm water management concept for the site on September 8, 2011. The storm water management concept consists of meeting required stormwater management goals via environmental site design guidelines to the maximum extent possible by the use of green roofs and micro-bioretenment. Onsite recharge is not required for redevelopment applications.

### Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. Access and public facilities will be adequate to support the proposed lot and uses. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The proposed subdivision was reviewed for compliance with the dimensional requirements for the CBD-2 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. Proposed on-site Public Use Space exceeds the minimum requirement of 20%. A summary of this review is included in Table 1 below. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

*Preliminary Plan Data Table and Checklist*

| <b>Plan Name: Bethesda Center</b>         |  |   |                 |             |
|---|--|---|-----------------|-------------|
| <b>Plan Number: 120120070</b>             |  |   |                 |             |
| <b>Zoning: CBD-2</b>                      |  |   |                 |             |
| <b># of Lots: 1</b>                       |  |   |                 |             |
| <b># of Outlots: N/A</b>                  |  |   |                 |             |
| <b>Dev. Type: Commercial</b>              |  |   |                 |             |
| <b>PLAN DATA</b>                          | <b>Zoning Ordinance Development Standard</b> | <b>Proposed for Approval the Preliminary Plan</b> | <b>Verified</b> | <b>Date</b> |
| Minimum Lot Area                          | 18,000 s.f.                                  | 74,033 s.f.                                       | JM              | 10/17/11    |
| Minimum Public Use Space                  | 20%  | 24%   | JM              | 10/17/11    |
| Height                                    | 143'   | 143'  | JM              | 10/17/11    |
| Floor Area Ratio                          | 5.0  | 5.0   | JM              | 10/17/11    |
| MPDUs                                     | N/A  | N/A   | JM              | 10/17/11    |
| TDRs                                      | N/A  | N/A   | JM              | 10/17/11    |
| Site Plan Req'd?                          | Yes  |   | JM              | 10/17/11    |
| <b>FINDINGS</b>                           |  |   |                 |             |
| <b>SUBDIVISION</b>                        |  |   |                 |             |
| Lot frontage on Public Street             | Yes  |   | JM              | 10/17/11    |
| Road dedication and frontage improvements | Yes  |   | DOT             | 11/29/11    |
| Environmental Guidelines                  | N/a  |   | Staff memo      | 10/17/11    |
| Forest Conservation                       | Yes  |   | Staff memo      | 10/17/11    |
| Master Plan Compliance                    | Yes  |   | Staff memo      | 10/17/11    |
| Historic Preservation                     | N/a  |   | Staff memo      | 10/17/11    |
| Stormwater Management                     | Yes  |   | DPS             | 10/17/11    |
| Water and Sewer (WSSC)                    | Yes  |   | Agency comments | 10/17/11    |
| 10-yr Water and Sewer Plan Compliance     | Yes  |   | Agency comments | 10/17/11    |
| Well and Septic                           | N/a  |   | Agency Comments | 10/17/11    |
| Local Area Traffic Review                 | Yes  |   | Staff memo      | 11/28/11    |
| Fire and Rescue                           | N/a  |   | Agency letter   | 10/17/11    |

## Recommendations and Conditions

Approval of Preliminary Plan 120120070 pursuant to Chapter 50 of the Montgomery County Subdivision Regulations and subject to the following conditions.

1. Approval under this preliminary plan is limited to one lot for up to 256,672 square feet of office uses, 193,999 square feet of hotel uses, and 15,799 square feet of retail uses.
2. The Applicant must comply with the conditions of approval for Project Plan 920120010.
3. The applicant must comply with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits, as applicable.
4. The applicant must obtain approval of a Final Forest Conservation Plan, consistent with the approved Preliminary Forest Conservation Plan and associated conditions, prior to any clearing, grading or demolition on the site.
5. No clearing, grading, demolition, or recording of plats prior to certified site plan approval unless specified with the site plan approval.
6. The fee-in-lieu or certificate of compliance for the off-site forest mitigation must be submitted by the applicant and approved by M-NCPPC staff prior to land disturbing activities occurring on the subject property.
7. The applicant must dedicate and the record plat must show dedication of 40 feet of right-of-way as measured from the centerline along the property frontage for Woodmont Avenue and 57 feet of right-of-way as measured along the centerline along the property frontage for Wisconsin Avenue.
8. The applicant must construct all road improvements within the rights-of-way shown on the approved preliminary plan to the full width mandated by the master plan and to the design standards imposed by all applicable road codes.
9. The applicant must satisfy MCDPS requirements prior to recordation of the plat to ensure the construction of the sidewalks per Bethesda Streetscape Standards along the property frontages on Wisconsin Avenue and Woodmont Avenue.
10. The final density and mix of uses will be determined at Site Plan.
11. The applicant must comply with the conditions of the MCDPS stormwater management approval dated September 8, 2011. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
12. The applicant must comply with the conditions of the MCDOT letter dated November 29, 2011. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
13. The applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s) and/or MDSHA prior to issuance of access permits, as applicable.
14. The applicant must satisfy requirements of Montgomery County Fire and Rescue pertaining to addressing, emergency vehicle access, fire access walk path and the locations of proposed FDC, hydrants, door locations and fire control rooms.
15. Final approval of the number and location of buildings, on-site parking, site circulation, sidewalks, and bike paths will be determined at site plan.
16. The record plat must show necessary easements.
17. The certified preliminary plan must contain the following note: "Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the preliminary plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the

time of site plan review. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."

18. Transportation

The following transportation-related conditions are recommended to be part of the Planning Board's approval of the subject applications to satisfy the APF requirements:

- a. The Applicant must limit future development on the site to a 203-room hotel, 256,672 SF of office, and 15,799 SF of restaurant/retail.
- b. The Applicant, prior to the release of any building permit for the proposed development, must pay \$737,100.00 to Montgomery County Department of Transportation (DOT) to satisfy the Policy Area Mobility Review (PAMR) requirement of the APF test (to mitigate sixty-three (63) net "new" weekday site-generated peak-hour trips at \$11,700 per peak-hour trip).
- c. The Applicant must dedicate and show on the final record plat the following rights-of-way along property frontage consistent with the 1994 Approved and Adopted *Bethesda CBD Sector Plan*:
  - i. Wisconsin Avenue – minimum of 57 feet from the roadway right-of-way centerline, and
  - ii. Woodmont Avenue – minimum of 40 feet from the roadway right-of-way centerline.
- d. Frontage improvements must be finalized at site plan.
- e. The Applicant must enter into a Traffic Mitigation Agreement ("Agreement") with the Planning Board and the Montgomery County Department of Transportation (DOT) to participate in the Bethesda Transportation Management District (TMD) and must execute the Agreement prior to the release of any building permit for the proposed development.
- f. The Applicant, as part of the above Agreement or separately, must grant an easement to the DOT to install a future bike-share station on the site, preferably along Woodmont Avenue. If a bike share station is appropriate at this site, then the location for the proposed bike-share station and the easement agreement with the DOT for the proposed bike-share station must be finalized at least 30 days prior to any Planning Board hearing on the site plan for the development.

19. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.

**APPENDICES**

Appendix A: Agency letters referenced in conditions

Appendix B: Correspondence

# Appendix A

## Agency Letters



### DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
County Executive

November 29, 2011

Arthur Holmes, Jr.  
Director

Mr. John Marcolin, Planner Coordinator  
Area 1 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120120070  
Bethesda Center

Dear Mr. Marcolin:

We have completed our review of the amended preliminary plan dated November 14, 2011. An earlier version of this plan was reviewed by the Development Review Committee at its meeting on October 17, 2011. We appreciate the consultant's point-by-point response to MCDOT's DRC comments in a letter dated November 14, 2011. We recommend approval of the plan – including the modified driveway design and on-site hotel dropoff area outside the public right-of-way – subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication along Woodmont Avenue and Wisconsin Avenue (MD 355) site frontages in accordance with the master plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. We recommend approval of the applicant's stormwater management concept plan.
4. We accept the consultant's storm drain capacity and impact analysis of Study Point #1 on Woodmont Avenue. Since runoff from the site will decrease in the post-development condition, no improvements to the existing County-maintained storm drain system will be required for this development.
5. We accept the consultant's Design Exception package for the proposed driveway locations and spacing. The southern (combined truck and garage egress) driveway on Woodmont Avenue is to be physically channelized to preclude westbound left turn movements.

#### Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878  
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080  
trafficops@montgomerycountymd.gov

montgomerycountymd.gov/311



240-773-3556 TTY

At the site plan stage, we recommend the applicant demonstrate the need for a two lane approach for the northern driveway on Woodmont Avenue; we recommend it be reduced to a single lane approach [twenty four (24) foot maximum width] if possible to facilitate pedestrian safety.

6. The sight distances study for the proposed driveways on Woodmont Avenue has been accepted. A copy of the accepted MCDOT Sight Distances Evaluation certification form is enclosed for your information and reference.
7. Truck loading space requirements to be determined in accordance with the Executive Branch's "Off-Street Loading Space" policy.
8. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
9. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
10. Access and improvements along Wisconsin Avenue (MD 355) as required by the Maryland State Highway Administration.
11. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
12. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
13. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
14. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with Brett Linkletter, Chief of the Division of Highway Services, Tree Maintenance Section at (240) 777-7651.
15. Prior to approval of the record plat by MCDPS, the applicant will need to enter into a Traffic Mitigation Agreement with the Planning Board and this Department. Within MCDOT, the applicant should coordinate with Ms. Sandra Brecher, Chief of the Division of Transit Services/Commuter Services Section. Ms. Brecher may be contacted at 240-777-5800.

Mr. John Marcolin  
Preliminary Plan No. 1-20120070  
November 29, 2011  
Page 3

A draft Traffic Mitigation Agreement, amended to address DRC review comments, was submitted on October 4, 2011; it remains under review.

16. At or before the permit stage, coordinate with Ms. Stacy Coletta of our Division of Transit Services to provide a bus shelter on Wisconsin Avenue (MD 355) south of the intersection with Norfolk Avenue. Ms. Coletta may be contacted at 240 777-5800.
17. Coordinate relocation of the existing parking meters with Mr. Jeremy Souders of our Division of Parking Management. Mr. Souders may be contacted at 240-777-8740.
18. Coordinate proposed Bethesda CBD streetscaping improvements on Woodmont Avenue with the County's Capital Improvement Program (CIP Project No. 500102) through Mr. Michael Mitchell of our Division of Transportation Engineering. Mr. Mitchell may be contacted at 240-777-7220.
19. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
  - A. Provide Bethesda CBD streetscaping (including brick sidewalks, street trees in amended soil panels, etc.) across the Woodmont Avenue site frontage. Maintain the existing curbline along Woodmont Avenue.
  - B. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
  - C. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
  - D. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
  - E. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. David Adams, our Development Review Area Engineer for this project at david.adams@montgomerycountymd.gov or (240) 777-2197.

Sincerely,



Gregory M. Leck, Manager  
Development Review Team

Mr. John Marcolin  
Preliminary Plan No. 1-20120070  
November 29, 2011  
Page 4

m:/subd/gml/docs/PP/120120070, Bethesda Center.doc

Enclosures (2)

cc: Marc Duber; The Bethesda Center, LLC  
Bob Dalrymple; Linowes and Blocher, LLP  
Meredith Byer; VIK A, Inc.  
Rose Krasnow; M-NCPPC Area 1  
Robert Kronenberg; M-NCPPC Area 1  
Cherian Eapen; M-NCPPC Area 1  
Catherine Conlon; M-NCPPC DARC  
Scott Newill; MSHA AMD  
Preliminary Plan folder  
Preliminary Plan letters notebook

cc-e: Rick Brush; MCDPS WRM  
Atiq Panjshiri; MCDPS RWPR  
Sande Brecher; MCDOT CSS  
Stacy Coletta; MCDOT COSS  
Gail Tait-Nouri; MCDOT DTE  
Michael Mitchell; MCDOT DTE  
Jeremy Souders; MCDOT DPM  
Brett Linkletter; MCDOT DHS  
Emil Wolanin; MCDOT DTEO  
Dan Sanayi; MCDOT DTEO  
Bruce Mangum; MCDOT DTEO  
David Adams; MCDOT DTEO





**MONTGOMERY COUNTY, MARYLAND**  
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
 DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: BETHESDA CENTER Preliminary Plan Number: 1-20120070

Street Name: WOODMONT AVENUE Master Plan Road Classification: ARTERIAL

Posted Speed Limit: 30 mph

Street/Driveway #1 ( 2 ) Street/Driveway #2 ( 3 )

Sight Distance (feet) OK?  
 Right 390 ✓  
 Left 350 ✓

Sight Distance (feet) OK?  
 Right 330 ✓  
 Left 330 ✓

Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

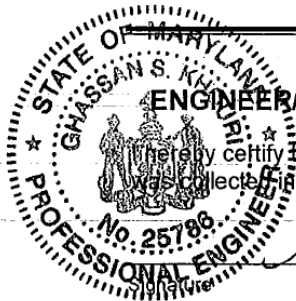
Comments:  
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**GUIDELINES**

| Classification or Posted Speed<br>(use higher value) | Required<br>Sight Distance<br>in Each Direction* |
|--|--|
| Tertiary - 25 mph                                    | 150'   |
| Secondary - 30                                       | 200'   |
| Business - 30  | 200'   |
| Primary - 35   | 250'   |
| Arterial - 40  | 325'   |
| (45)   | 400'   |
| Major - 50   | 475'   |
| (55)   | 550'   |

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

\*Source: AASHTO



**ENGINEER/SURVEYOR CERTIFICATE**

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature: GSK Date: 7/20/11

25786  
 PLS/P.E. MD Reg. No.

|                                     |                   |
|-------------------------------------|-------------------|
| Montgomery County Review:           |                   |
| <input checked="" type="checkbox"/> | Approved          |
| <input type="checkbox"/>            | Disapproved:      |
| By:                                 | <u>Gulch</u>      |
| Date:                               | <u>11/29/2011</u> |

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 March, 2000



**MONTGOMERY COUNTY, MARYLAND**  
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
 DEPARTMENT OF PERMITTING SERVICES

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: BETHESDA CENTER Preliminary Plan Number: 1-20120070

Street Name: WOODMONT AVENUE Master Plan Road Classification: ARTERIAL

Posted Speed Limit: \_\_\_\_\_ mph

Street/Driveway #1 ( 4 ) Street/Driveway #2 ( \_\_\_\_\_ )

|                       |                                     |
|-----------------------|-------------------------------------|
| Sight Distance (feet) | OK?                                 |
| Right <u>490</u>      | <input checked="" type="checkbox"/> |
| Left <u>325</u>       | <input checked="" type="checkbox"/> |

|                       |                          |
|-----------------------|--------------------------|
| Sight Distance (feet) | OK?                      |
| Right _____           | <input type="checkbox"/> |
| Left _____            | <input type="checkbox"/> |

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**GUIDELINES**

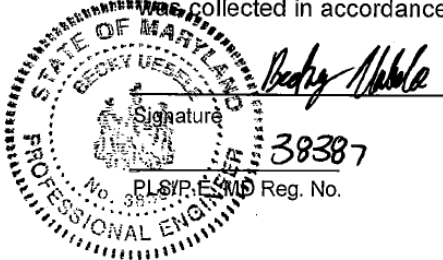
| Classification or Posted Speed<br>(use higher value) | Required<br>Sight Distance<br>in Each Direction* |
|--|--|
| Tertiary - 25 mph                                    | 150' **  |
| Secondary - 30                                       | 200'   |
| Business - 30  | 200'   |
| Primary - 35   | 250'   |
| Arterial - 40  | 325'   |
| (45)   | 400'   |
| Major - 50   | 475'   |
| (55)   | 550'   |

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

\*Source: AASHTO \*\*AS PER POSTED SPEED LIMIT

**ENGINEER/ SURVEYOR CERTIFICATE**

I hereby certify that this information is accurate and collected in accordance with these guidelines.



|                                     |                    |
|-------------------------------------|--------------------|
| <b>Montgomery County Review:</b>    |                    |
| <input checked="" type="checkbox"/> | Approved           |
| <input type="checkbox"/>            | Disapproved:       |
| By:                                 | <u>[Signature]</u> |
| Date:                               | <u>11/29/2011</u>  |

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March, 2000

# Appendix B

## Correspondence



**THE GREATER  
BETHESDA-CHEVY CHASE**  
CHAMBER OF COMMERCE

7910 Woodmont Avenue, Suite 1204  
Bethesda, MD 20814  
T: (301) 652-4900  
F: (301) 657-1973  
staff@bccchamber.org  
www.bccchamber.org

November 30, 2011

Commissioner Francois Carrier, Chair  
Montgomery County Planning Board  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Letter in Support of Bethesda Center Project

Dear Commissioner Carrier:

On behalf of The Greater Bethesda-Chevy Chase Chamber of Commerce, we are submitting this letter in support of the proposed Bethesda Center project (Project Plan No. 920120010 and Preliminary Plan No. 120120070), located between Wisconsin Avenue and Woodmont Avenue, just south of Norfolk Avenue in the Woodmont Triangle area of the Bethesda Central Business District (CBD). The project proposes to develop the site with a mix of office, hotel, restaurant, and retail uses, and will play an important role in the overall redevelopment of the Woodmont Triangle area. The project's location bridges the heart of the Bethesda CBD and portions of Woodmont Triangle located further to the north, and the mix of uses will enliven the southern portion of Woodmont Triangle and help to ensure that the project and surrounding areas are activated beyond just the workday.

Aside from the positive contributions to the community as a result of the buildings and uses themselves, the project also proposes a mid-block pedestrian connection that will facilitate pedestrian access between Bethesda's two main north-south streets, Wisconsin Avenue and Woodmont Avenue. This connection is important for the success of the businesses located along these two street frontages, and will add to the pedestrian activity in the area. It also helps to provide improved connectivity for those accessing Bethesda Metro Station and the bus facilities just to the south. In addition to the mid-block pedestrian connection, the project proposes attractive on-site public use space and off-site amenity spaces. Bethesda Center represents exactly what is needed in this portion of the Woodmont Triangle area of the Bethesda CBD.

Thank you for your consideration of our comments. We look forward to welcoming the Bethesda Center project to the Bethesda community.

Sincerely,

Ginanne M. Italiano, IOM  
President & CEO

cc: Members of the Montgomery County Planning Board  
John Marcolin, M-NCPPC

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