



MCPB

Item No.: 4

Date: 9-18-14

7340 Wisconsin Avenue, Project Plan Amendment 92014001A, Preliminary Plan Amendment 11994080B, Site Plan 820140120



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Staff Report Date: 9/5/14

Description

Location: On Montgomery Avenue, West of Wisconsin Avenue

Zone: CBD-2

Master Plan: Bethesda CBD Sector Plan

Property size: 0.79 acres

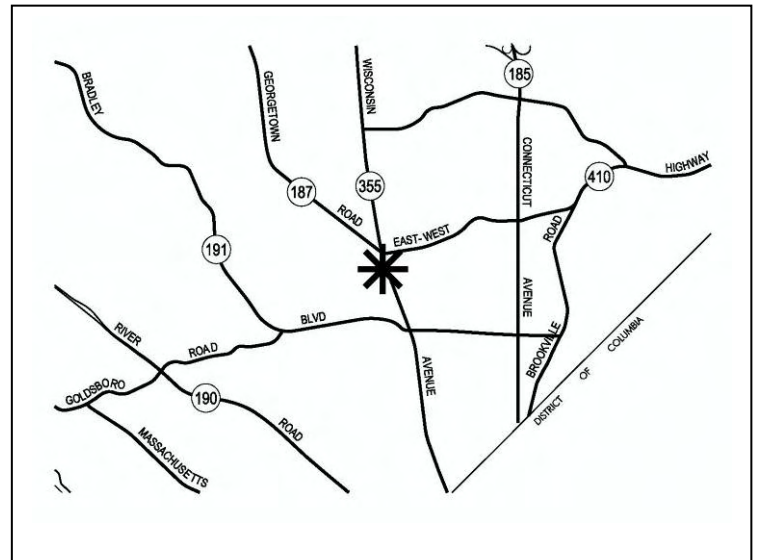
Project Plan Amendment Application: Amendment to reduce previously approved nonresidential floor area from 15,000 SF to 5,500 SF and to increase previously approved residential floor area from 192,791 SF to 204,381 SF. The total overall buildable area increases 2,090 SF, from 207,791 SF to 209,881 SF.

Preliminary Plan Amendment Application: Amendment to reduce previously approved nonresidential floor area from 15,000 SF to 5,500 SF and to increase previously approved residential floor area from 192,791 SF to 204,381 SF.

Site Plan Application: 209,881 SF of development in a mixed use building, including 225 dwelling units and 5,500 SF retail.

Applicant: Bainbridge Wisconsin Avenue Apartments LLC

Filing Date: April 28, 2014



- **Staff recommendation: Approval of the project plan amendment, preliminary plan amendment, and site plan with conditions.**

PROJECT PLAN AMENDMENT RECOMMENDATION AND CONDITIONS

Staff recommends approval of Project Plan Amendment 92014001A for a maximum of 204,381 square feet of multi-family residential use consisting of 225 multi-family dwelling units, including 15% Moderately Priced Dwelling Units (MPDUs), and 5,500 square feet of non-residential uses subject to the following conditions and all previous applicable conditions, except as modified by this approval:

1. The Project Plan is limited to a maximum of 204,381 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 5,500 square feet of non-residential use. This condition supersedes condition no. 1 of Planning Board Resolution No. 13-167 for Project Plan 920140010, dated December 24, 2013.

PRELIMINARY PLAN RECOMMENDATION AND CONDITIONS

Staff recommends approval of Preliminary Plan Amendment 11994080B subject to the following conditions and all previous applicable conditions, except as modified by this approval:

1. The Applicant must comply with the conditions of approval for Project Plan 920140010, as amended. This condition supersedes condition no. 2 of Planning Board Resolution No. 13-168 for Preliminary Plan 11994080A, dated December 26, 2013.
2. This Preliminary Plan is limited to a maximum of 204,381 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 5,500 square feet of non-residential use, limited to retail, restaurant, or service uses. This condition supersedes condition no. 3 of Planning Board Resolution No. 13-168 for Preliminary Plan 11994080A, dated December 26, 2013.
3. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letters dated November 8, 2013, and June 13, 2014, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letters, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval. This condition supersedes condition no. 4 of Planning Board Resolution No. 13-168 for Preliminary Plan 11994080A, dated December 26, 2013.

SITE PLAN RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan 820140120, for a maximum of 209,881 square feet of development in a mixed-use building, including up to 204,381 square feet of multi-family residential use consisting of 225 multi-family dwelling units, including 15% Moderately Priced Dwelling Units (MPDUs), and 5,500 square feet of non-residential uses, on 34,605 gross square feet of land. All site development elements shown on the site and landscape plans received by the M-NCPPC electronic filing system as of the date of this staff report, are required except as modified by the following conditions.

Compliance with Previous Approvals

1. The Applicant must comply with the conditions of approval for Project Plan 920140010, as amended.

2. The Applicant must comply with the conditions of approval for Preliminary Plan 11994080A, as amended.

Environment

3. Stormwater Management

The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated November 13, 2013, and hereby incorporates them as conditions of the Site Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Site Plan approval.

Parks, Open Space, and Recreation

4. Recreation Facilities

At a minimum, the Applicant must provide the following on-site recreation facilities:

- a. Four picnic/seating areas
- b. Pedestrian walkway system
- c. Swimming pool
- d. Indoor community space
- e. Indoor exercise room

5. Public Art

- a. The Applicant must provide and install the public artwork by artist J. Meejin Yoon, as presented to the Planning Department's Art Review Panel on March 19, 2014, and illustrated on the certified Site Plan.
- b. Prior to approval of the certified Site Plan, any significant changes to the public artwork concept presented on March 19, 2014, must be presented to the Art Review Panel and approved by Staff.
- c. Significant changes to the public artwork concept, as determined by Staff, proposed after approval of the certified Site Plan will require a site plan amendment.

6. Public Use and Amenities

- a. The Applicant must provide a minimum of 3,750 square feet of on-site public use space, as illustrated on the certified Site Plan.
- b. The Applicant must provide the Bethesda streetscape standard improvements, as revised to accommodate oval tree planters, including undergrounding of utilities, along the Subject Property's frontage, as illustrated on the certified Site Plan.

7. Maintenance of Publicly Accessible Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, landscaping, walkways, lighting, benches, and artworks.

Transportation and Circulation

8. Transportation

- a. Prior to the release of any building permit for development on the Subject Property, exclusive of any sheeting and shoring permit, the Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and the Montgomery County

Department of Transportation (“MCDOT”) to participate in the Bethesda Transportation Management District. The TMAg must include trip mitigation measures recommended by MCDOT.

- b. The Applicant must provide a minimum of nine public bicycle parking spaces (“inverted U” or similar), as shown on the certified Site Plan.

Density and Housing

9. Moderately Priced Dwelling Units (MPDUs)

- a. The Applicant must provide a minimum of 15% MPDUs in accordance with the letter from MCDHCA dated July 3, 2014.
- b. Prior to the release of any building permit, exclusive of the sheeting and shoring permit, the Applicant must execute the MPDU agreement to build.
- c. The Planning Board has accepted the recommendations of MCDHCA in its letter dated July 3, 2014, and does hereby incorporate them as conditions of the Site Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.

Site Plan

10. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the certified Site Plan, as determined by Staff.

11. Private Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to the Illuminating Engineering Standards of North America (“IESNA”) standards for residential development.
- b. All onsite down-light fixtures must be full cut-off fixtures.
- c. Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- d. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- e. The height of the light poles must not exceed the height specified on the certified Site Plan.

12. Surety

Prior to issuance of a building permit within each relevant phase of development, the Applicant must provide a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. The Applicant must provide a cost estimate of the materials and facilities, which, upon Staff approval, will establish the initial surety amount.
- b. The amount of the bond or surety must include plant material, on-site lighting, recreational facilities, and site furniture within the relevant phase of development.
- c. Prior to issuance of the above-grade building permit, the Applicant must enter into a Site Plan Surety & Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant and incorporates the cost estimate.

- d. The bond/surety must be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety for each phase of development will be followed by inspection and reduction of the surety.

13. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved prior to the approval of the certified Site Plan. The development program must include the following items in its phasing schedule:

- a. On-site amenities including, but not limited to, sidewalks, benches, artwork, and trash receptacles must be installed prior to release of any building occupancy permit.
- b. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Sediment Control Plan.
- c. The development program must provide phasing for installation of on-site landscaping and lighting.
- d. Landscaping associated with the building must be completed as construction of each facility is completed.
- e. The development program must provide phasing of stormwater management and sediment and erosion control.
- f. The indoor community space and fitness facility must be completed prior to issuance of the final occupancy permit.

14. Certified Site Plan

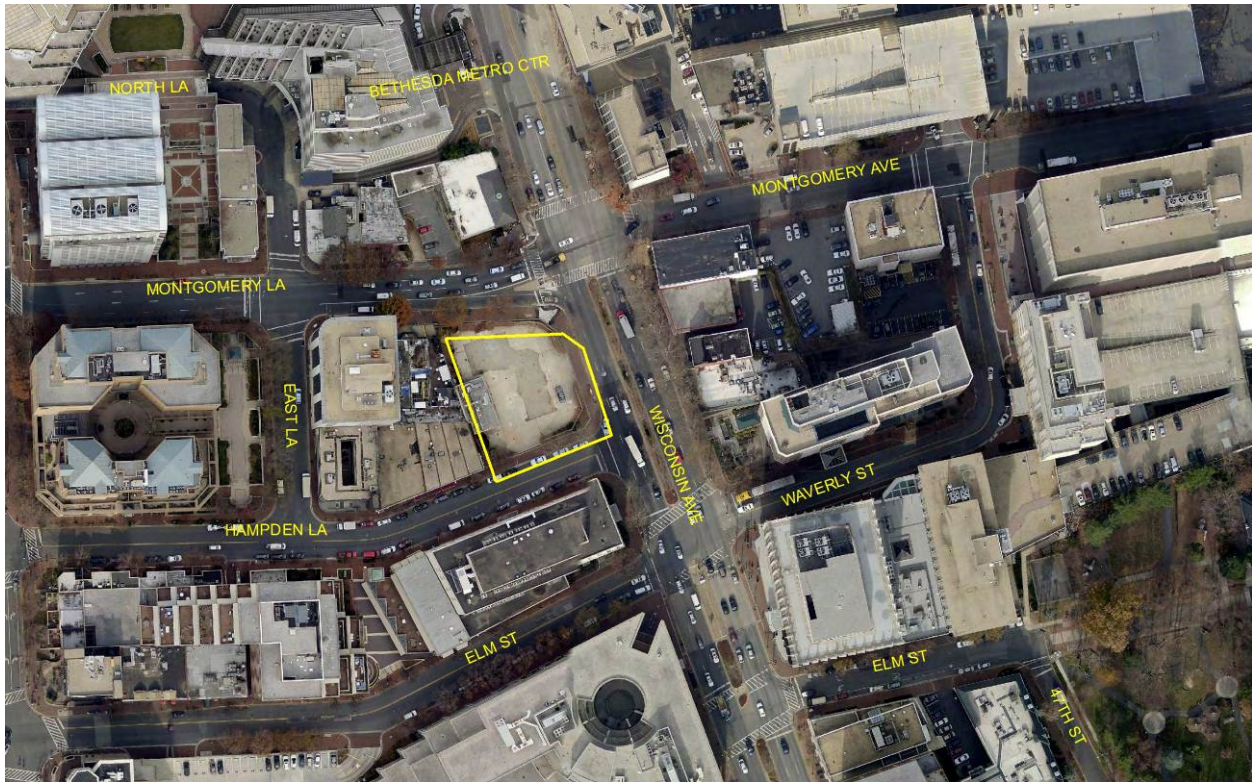
Prior to approval of the certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the stormwater management concept approval, development program, inspection schedule, and Site Plan Resolution on the approval or cover sheet.
- b. Ensure consistency off all details and layout between Site Plan and landscape plan.
- c. Provide final details for proposed artwork.
- d. Provide the height of all on-site light poles including the mounting base.
- e. Label areas of green roof on the Site Plan and landscape plan.

SITE DESCRIPTION

The subject property, shown below and in Attachment A, is located on the west side of Wisconsin Avenue (MD 355), between the intersections with Montgomery Lane and Hampden Lane. The subject property consists of one 18,679-square-foot platted lot developed with an existing gas station that is no longer in operation. The pumps and tanks have been removed from the property. The gross tract area, including previous dedications for Montgomery Lane, Hampden Lane, and Wisconsin Avenue, measures 34,605 square feet (0.79 acres) in area. The subject property is located within the CBD-2 zone. Surrounding properties are developed with a mix of residential, office, and retail uses in the CBD-2 and CBD-3 zones.

The property is located in the Little Falls Branch watershed. The site is entirely developed, and there are no streams, floodplains, forests, or other sensitive environmental features on the site.



PROJECT DESCRIPTION

Previous Approvals

On June 9, 1994, the Planning Board approved Preliminary Plan 119940800 for one lot for a gas station.

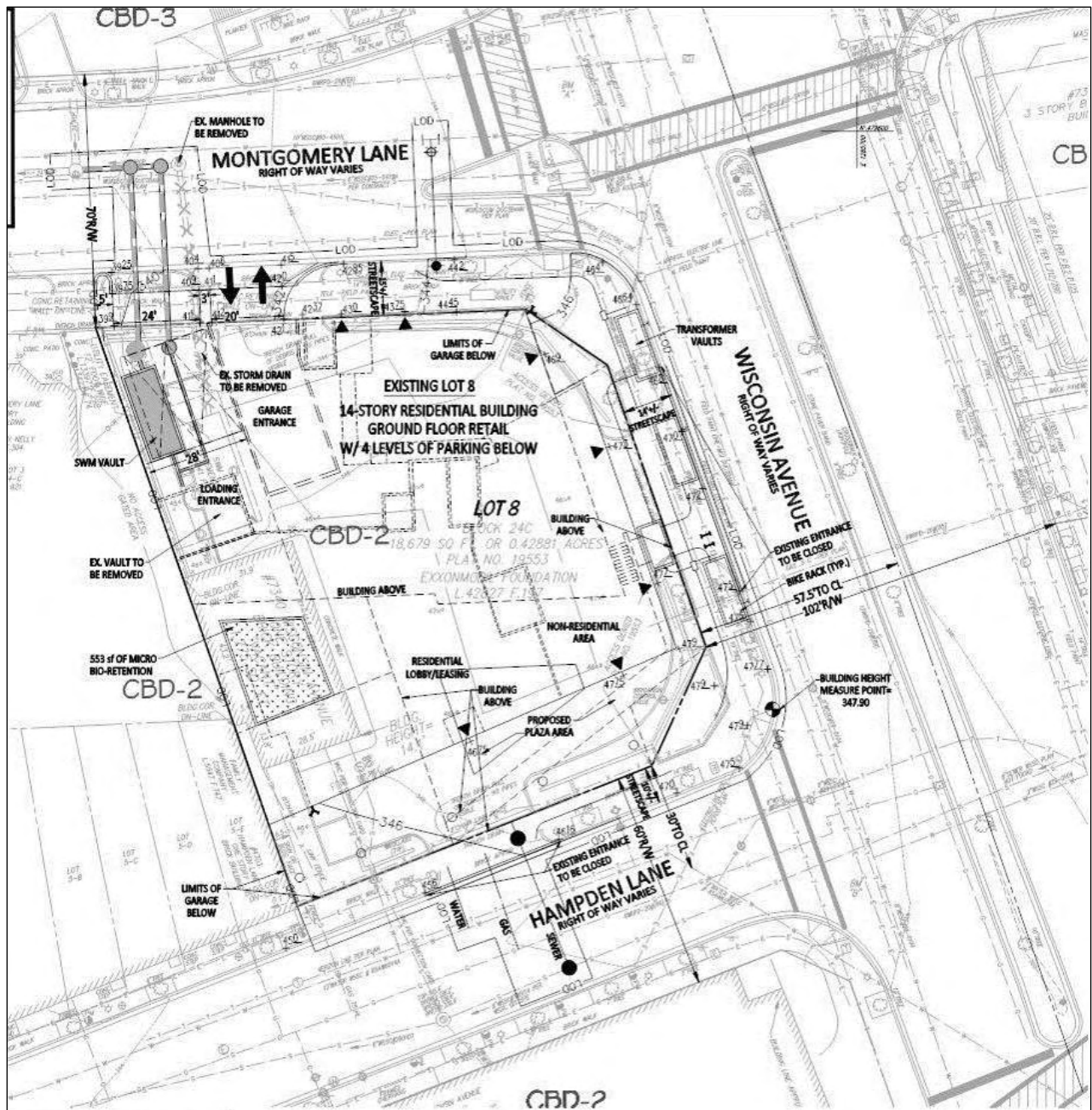
On December 12, 2013, the Planning Board approved Project Plan 920140010 and Preliminary Plan Amendment 11994080A for a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 15,000 square feet of non-residential use.

Project Plan Amendment

A project plan amendment has been filed as part of the application package. The purpose of the project plan amendment is to reallocate 9,500 square feet of previously approved floor area from non-residential uses to residential use. The number of dwelling units will remain at 225, as previously approved.

Preliminary Plan Amendment

Although the project plan and site plan applications have been filed concurrently with a preliminary plan amendment application, no subdivision of land is proposed. Rather, the purpose of the preliminary plan amendment is to reallocate 9,500 square feet of previously approved floor area from non-residential uses to residential use. The number of dwelling units will remain at 225, as previously approved.



Preliminary Plan

Site Plan

The applicant is proposing an optional method project consisting of a mixed-use building to contain up to 225 multi-family residential units, including 15% moderately priced dwelling units (MPDUs), and up to 5,500 square feet of non-residential uses (retail, restaurant, or service uses). The mix of land uses represents a reallocation of 9,500 square feet of non-residential floor area approved under the project plan and previous preliminary plan amendment to residential use. However, although the residential

floor area has been increased, the proposed number of dwelling units will remain at 225, as previously approved.

The proposed building will consist of a total of 14 floors, with a maximum height of 143 feet. The ground floor will contain up to 5,500 square feet of non-residential uses, which could be retail, restaurant, or service uses. In addition, the residential lobby and leasing office will be located on the ground floor. Above the ground floor will be 13 residential stories containing up to 225 multi-family units, including 15% MPDUs. Parking will be provided in an underground garage beneath the building. Vehicular access for parking and loading will be provided via a driveway from Montgomery Lane.

The design of the building proposes a composition of three distinct volumes, one for each of the streets that define the property. These volumes step down from north to south, with the tallest volume on the Montgomery Lane frontage, anchoring the building to the prominent corner intersection at Montgomery Lane and Wisconsin Avenue. Each volume, while varied in height and scale, holds the building lines of the adjacent streets while providing a dramatic, stepped volumetric expression. The second volume also supports the main outdoor rooftop amenity space and addresses Wisconsin Avenue, while the third volume steps down to scale the building to Hampden Lane. This stepping down allows ample sunlight into the interior court of the building, and maximizes views to the exterior for the project's residents. Each of the three volumes consists of an exterior treatment of glass and architectural panels, with exterior balconies located primarily at corners.



Massing Diagram



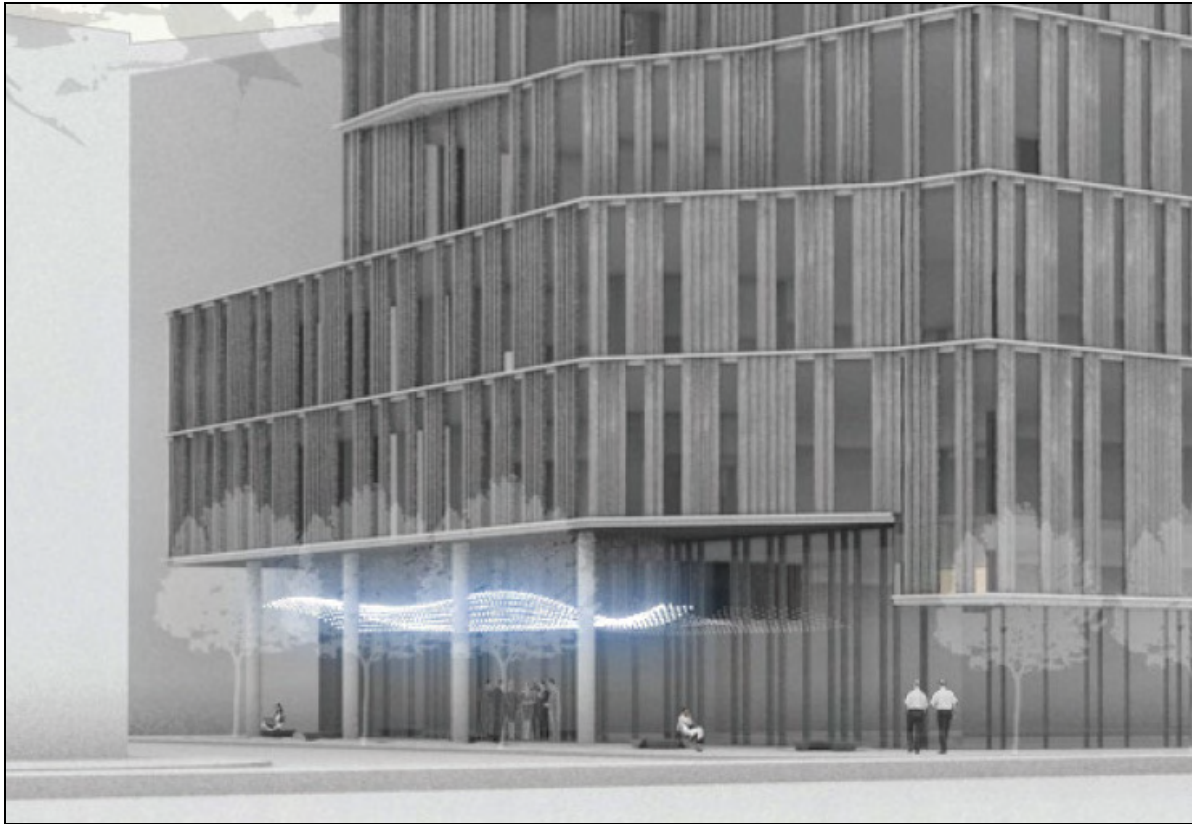
Illustrative Rendering Of The Proposed Building As Seen From Wisconsin Avenue

A public use space is proposed along Hampden Lane. This outdoor plaza will have a pedestrian scale with seating and planting areas extending along the entire Hampden Lane frontage. A portion of the plaza will be located underneath a cantilevered portion of the building above. Placement of the public use space along Hampden Lane takes advantage of sun exposure on the south side of the building and places the public use space on the street that has a better pedestrian environment than the more vehicular-oriented Montgomery Lane.



Illustrative Plan

A public art installation will be placed within the public use space near Hampden Lane. The art piece will be suspended from the bottom of the cantilevered portion of the building that is above part of the public use space. That art piece will consist of approximately 600 suspended vertical metal rods of varying lengths that will have light emitting diodes (LEDs) at their tips. The LEDs will be programmed to simulate the appearance of clouds and weather patterns.



Proposed Public Art

ANALYSIS AND FINDINGS

Project Plan

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.

(j) Payment of a fee acceptable to the Planning Board may satisfy all or some of the requirements for any public use space, or public facilities and amenities under the requirements established elsewhere in this Section.

As the following Findings demonstrate, the subject project plan 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.

The Planning Board found the original project plan (920140010) to be in compliance with the intents and requirements of the CBD-2 zone. The proposed amendment does not affect the application's compliance with the intents and requirements of the zone, and the Planning Board's prior findings remain valid.

CBD-2 Zone Development Standards

Section 59-C-6.23 of the Zoning Ordinance contains the development standards for optional method projects in the CBD-2 Zone. As shown in Table 1 below, the project meets all of the standards and requirements.

Table 1: Project Data Table for the CBD-2 Zone

Development Standard	Permitted/ Required	Approved in 920140010	Proposed for Approval
Gross Tract Area (sf.)	18,000	34,605	34,605
Previous Dedications (sf.)		15,926	15,926
Proposed Dedications (sf.)		0	0
Net Lot Area (sf.)		18,679	18,679
Maximum Density (FAR) (base)	5	5	5
Maximum Floor Area, Total (sf.) (base)	173,025	173,025	173,025
Maximum Density, Non-residential (FAR)	3	0.4	0.2
Maximum Floor Area, Non-residential (sf.)	103,815	15,000	5,500
Maximum Density, Residential (FAR) (base)	N/a	4.6	4.8
Maximum Floor Area, Residential (sf.) (base)	N/a	158,025	167,525
Maximum Density, Residential (FAR) (including 22% density bonus)	N/a	5.6	5.9
Maximum Floor Area, Residential (sf.) (including 22% density bonus)	N/a	192,791	204,381
Maximum Density, Total (FAR) (including 22% density bonus)	N/a	6	6.1
Maximum Floor Area, Total (sf.) (including 22% density bonus)	N/a	207,791	209,881
Maximum Dwelling Units, total	N/a	225	225
Minimum MPDU (%)	12.5	15	15
Building Height, Maximum (ft.)	143	143	143
Building Setback, Minimum	N/A	0	0
Parking Spaces, Maximum			
Residential	288		
Non-residential	75		
Less 15% Metro Credit	-54		
Total Required	309	200 ¹	200 ¹
On-Site Public Use Space, Minimum (% of net lot area)	20	20	20
On-Site Public Use Space (sf.)	3,736	3,750	3,750
Off-Site Public Amenity Space (% of net lot area)	N/a	27	27
Off-Site Public Amenity Space (sf.)	N/a	5,063	4,991

¹ The site is located in the Bethesda parking lot district, and as such is not required to provide the full complement of parking spaces. The total number of spaces will be determined at certified site plan. Parking that is not provided on the site, consistent with Section 59-E, will be subject to an ad valorem tax.

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

The Planning Board found the original application, Project Plan 920140010, to be in substantial conformance with the Bethesda CBD Sector Plan, as memorialized in Resolution No. 13-167, dated December 24, 2013. The proposed amendment to reallocate 9,500 square feet of non-residential use to residential use does not affect the project plan's conformance to the Sector Plan, and the Planning Board's previous finding remains valid.

- (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 Planning Board found the original application, Project Plan 920140010, to be compatible with and not detrimental to existing or potential development in the general neighborhood, as memorialized in Resolution No. 13-167, dated December 24, 2013. The proposed amendment to reallocate 9,500 square feet of non-residential use to residential use does not affect the project plan's compatibility with existing or potential development, and the Planning Board's previous finding remains valid.

- (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 Planning Board found that the original application, Project Plan 920140010, would not overburden existing or programmed public services, as memorialized in Resolution No. 13-167, dated December 24, 2013. The proposed amendment will reallocate 9,500 square feet of non-residential use to residential use, but the number of dwelling units will not increase. Since vehicular traffic impact for residential use is measured per dwelling unit and not per floor area, the number of vehicle trips and the traffic burden on surrounding streets will be reduced in comparison to the original application. The subject property is within the Bethesda Chevy Chase High School cluster area, which is currently operating between 105-120% of capacity at the high school level, and a school facilities payment has been required as a condition of the previous preliminary plan approval. The reallocation of floor area from non-residential to residential uses will not increase the number of dwelling units, and the burden on school facilities and the required payment will not change as a result. Other public services will not be affected by the reallocation of floor area, and the Planning Board's previous finding remains valid.

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

The Planning Board found that the original application, Project Plan 920140010, will be more efficient and desirable than could be accomplished by the use of the standard method of development, as memorialized in Resolution No. 13-167, dated December 24, 2013. The proposed amendment to reallocate 9,500 square feet of non-residential use to residential use does not affect the project plan's efficiency or desirability, and the Planning Board's previous finding remains valid.

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

As memorialized in Resolution No. 13-167, the original application, Project Plan 920140010, was approved to provide 15% on-site MPDUs (with the final number of MPDUs to be based upon the total unit count established at the time of certified site plan). The proposed amendment to

reallocate 9,500 square feet of non-residential use to residential use does not affect the provision of MPDUs.

- (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:*

This finding is not applicable, as the subject property is already comprised of one record lot and no transfer of public open space or development density is proposed.

- (h) As conditioned, the proposal satisfies any applicable requirements for forest conservation under Chapter 22A.*

The Planning Board found that the original application, Project Plan 920140010, satisfies all applicable requirements for forest conservation under Chapter 22A, as memorialized in Resolution No. 13-167, dated December 24, 2013. The proposed amendment to reallocate 9,500 square feet of non-residential use to residential use does not affect the project plan's compliance with Chapter 22A, and the Planning Board's previous finding remains valid.

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

The MCDPS Stormwater Management Section approved the stormwater management concept on November 13, 2013. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent possible through the use of a green roof and micro-bioretenion planter box. The remaining volume will be treated in a structural proprietary filter.

- (j) When the Planning Board allows any public use space, or public facilities and amenities to be provided off-site, the Planning Board must find that the space or improvement:*
(1) is consistent with the goals of the applicable master or sector plan; and
(2) serves the public interest better than providing the public use space or public facilities and amenities on-site.

The applicant is providing all public use space and amenities and facilities on-site.

Preliminary Plan

Conformance to the Master Plan

The Planning Board found the previous amendment application, Preliminary Plan 11994080A, to be in substantial conformance with the Bethesda CBD Sector Plan, as memorialized in Resolution No. 13-168, dated December 26, 2013. The proposed amendment to reallocate 9,500 square feet of non-residential

use to residential use does not affect the preliminary plan's conformance to the Sector Plan, and the Planning Board's previous finding remains valid.

Public Facilities

The Planning Board found that the previous amendment application, Preliminary Plan 11994080A, will be served by adequate public facilities, as memorialized in Resolution No. 13-168, dated December 26, 2013. The proposed amendment will reallocate 9,500 square feet of non-residential use to residential use, but the number of dwelling units will not increase. Since vehicular traffic impact for residential use is measured per dwelling unit and not per floor area, the number of vehicle trips and the traffic burden on surrounding streets will be reduced in comparison to the previous application. The subject property is within the Bethesda Chevy Chase High School cluster area, which is currently operating between 105-120% of capacity at the high school level, and a school facilities payment has been required as a condition of the previous preliminary plan approval. The reallocation of floor area from non-residential to residential uses will not increase the number of dwelling units, and the burden on school facilities and the required payment will not change as a result. Other public services will not be affected by the reallocation of floor area, and the Planning Board's previous finding remains valid.

Environment

The Application was granted an exemption from submitting a forest conservation plan per section 22A-5(s)(1) on June 12, 2013. The proposed development meets the conditions for an exemption as the subject property is smaller than 1.5 acres with no existing forest, specimen trees, or champion trees, and the afforestation requirements would not exceed 10,000 square feet. The proposed amendment to reallocate 9,500 square feet of non-residential use to residential use does not affect forest conservation, and the previously granted exemption remains in effect.

The MCDPS Stormwater Management Section approved the stormwater management concept on November 13, 2013. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent possible through the use of a green roof and micro-bioretenention planter box. The remaining volume will be treated in a structural proprietary filter.

Compliance with the Subdivision Regulations and Zoning Ordinance

The Planning Board found the previous amendment application, Preliminary Plan 11994080A, to be in compliance with the Subdivision Regulations and the Zoning Ordinance, as memorialized in Resolution No. 13-168, dated December 26, 2013. The proposed amendment to reallocate 9,500 square feet of non-residential use to residential use does not affect the preliminary plan's compliance with the Subdivision Regulations and the Zoning Ordinance, and the Planning Board's previous finding remains valid.

Site Plan

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing*

Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.

Neither a development plan, diagrammatic plan, nor a schematic development plan were required for the application. The site plan is consistent with Project Plan Amendment 92014001A, as conditioned.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The proposed uses are allowed in the CBD-2 Zone, and the site plan fulfills the specific purposes of the zone by providing mixed-use development in a desirable urban environment, a transitional density from the core to the periphery of the CBD, and an effective use of transit facilities for residents and visitors to the subject property.

As the project data table on page 14 indicates, the site plan meets all of the development standards of the zone. With respect to building height, setbacks, density, and public use space, the proposed development meets the minimum and maximum standards, respectively.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

The building of the proposed development is located along the street frontage of Wisconsin Avenue, Montgomery Lane, and Hampden Lane. This location provides easy access to the building from adjoining sidewalks and parking. Staff finds the location of the building to be adequate and efficient, while meeting the aesthetic concerns of the area, and it does not pose any safety concerns on the site.

The public use space on Hampden Lane will be integrated into the adjacent sidewalk network. The landscaping planters in the sidewalk have been modified from the standard rectangular shape to an oval to facilitate pedestrian movement into the public use space. The existing site currently has three curb cuts, one each on Wisconsin Avenue, Montgomery Lane, and Hampden Lane. The site plan improves vehicular circulation on and around the subject property by eliminating the Wisconsin Avenue and Hampden Lane curb cuts. All vehicles will instead be directed to the entrances to the parking garage and loading area on Montgomery Lane. The site plan will improve pedestrian circulation in the area by providing Bethesda Streetscape improvements along all three adjacent street frontages. Recreational facilities will be placed on a rooftop terrace and within the building, and they will be easily accessible to building residents.

4. *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

The design, scale, façade, and uses proposed in the site plan will provide a complimentary relationship to adjacent buildings in the Metro Core District and the Bethesda CBD as a whole.

The 143 feet in building height proposed by the site plan represents a step-down from the 200-foot building heights permitted in the Bethesda Metro Station block to the north, and the design of the building appropriately transitions from the more vehicle-oriented Montgomery Lane frontage to the more pedestrian-oriented Hampden Lane frontage. At the same time, the building is designed to take advantage of its prominent location by presenting a strong and distinctive architectural presence at this important intersection.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws.*

The Application was granted an exemption from submitting a forest conservation plan per section 22A-5(s)(1) on June 12, 2013. The proposed development meets the conditions as the subject property is smaller than 1.5 acres with no existing forest, specimen trees, or champion trees, and the afforestation requirements would not exceed 10,000 square feet. The previously granted exemption remains in effect.

The MCDPS Stormwater Management Section approved the stormwater management concept on November 13, 2013. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent possible through the use of a green roof and micro-bioretenention planter box. The remaining volume will be treated in a structural proprietary filter.

CITIZEN CORRESPONDENCE AND ISSUES

The applicant has complied with all submittal and noticing requirements. As of the date of this staff report, staff has received one letter in support of the application.

CONCLUSION

The project plan amendment meets all of the requirements established in the Zoning Ordinance and substantially conforms to the recommendations of the Bethesda CBD Sector Plan. Therefore, Staff recommends approval of the project plan application with the conditions specified above.

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations of the Bethesda CBD Sector Plan. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, Staff recommends approval of the preliminary plan amendment application with the conditions specified above.

The site plan meets all of the requirements established in the Zoning Ordinance. Therefore, Staff recommends approval of the site plan application with the conditions specified above.

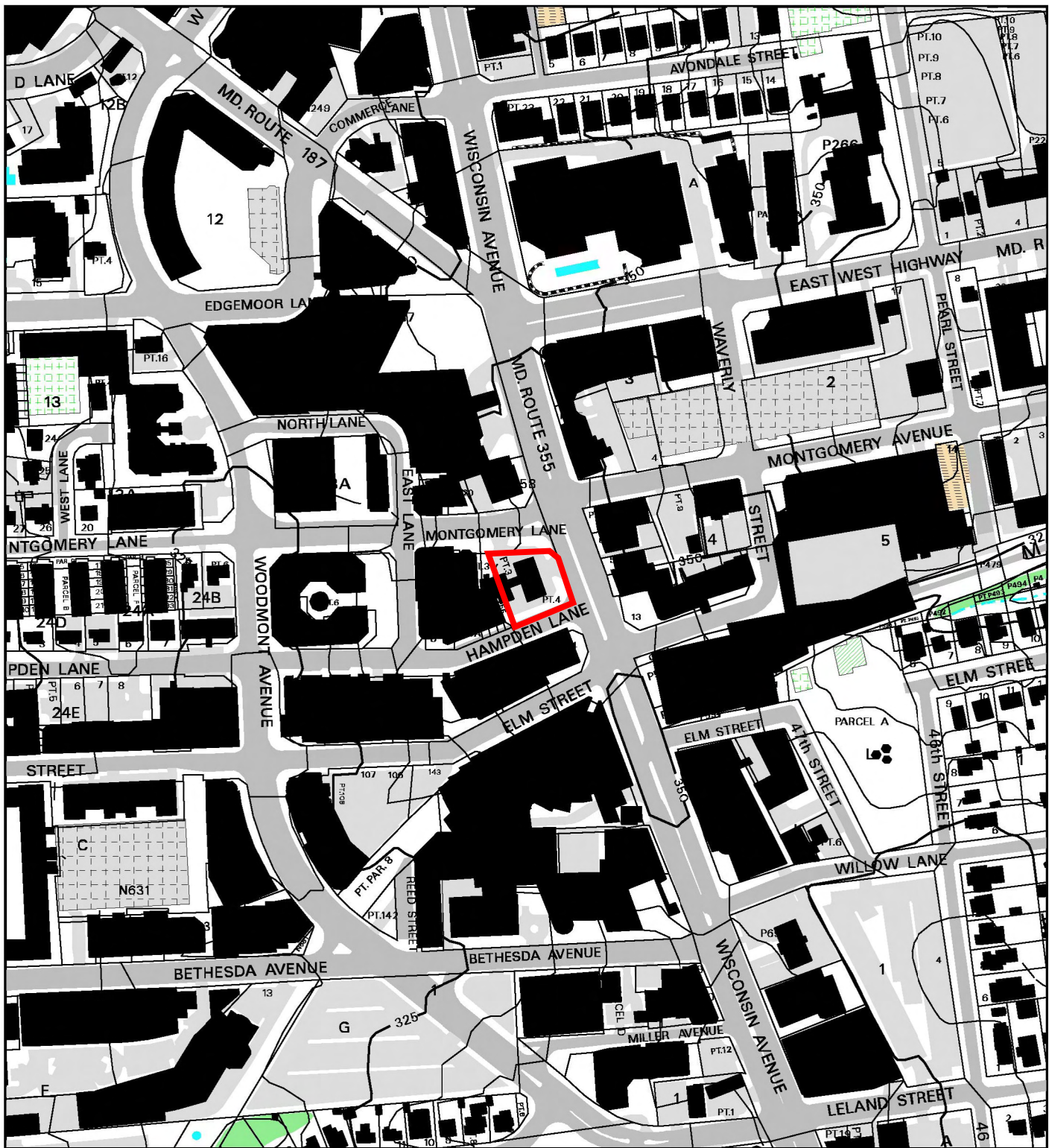
Attachments

Attachment A – Vicinity Map

Attachment B – Proposed Project Plan, Preliminary Plan, and Site Plan

Attachment C – Resolutions Approving Project Plan 920140010 and Preliminary Plan 11994080A
Attachment D – Agency Correspondence Referenced in Conditions

7340 WISCONSIN AVENUE (92014001A, 11994080B, 820140120)



Map compiled on October 30, 2013 at 4:03 PM | Site located on base sheet no - 209NW05

NOTICE

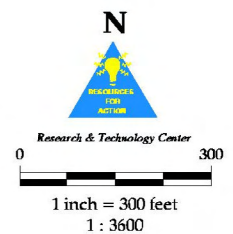
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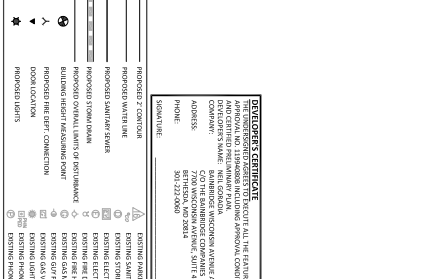
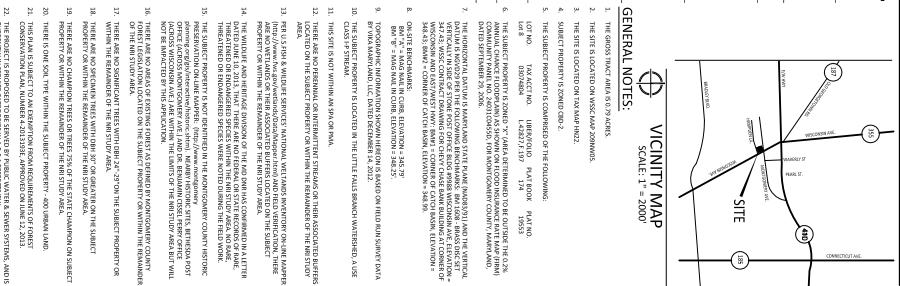
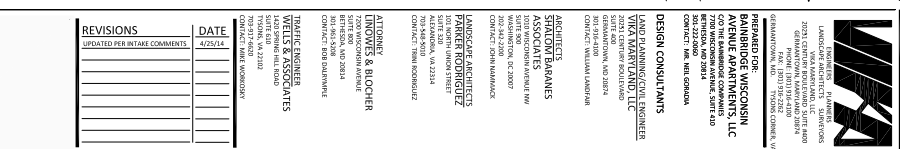
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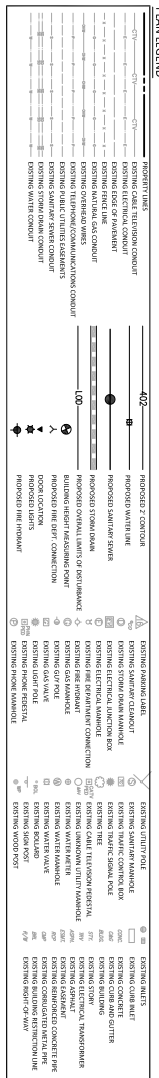
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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

Key Map



[illegible]



Zoning Ordinance Development Standard

Maximum Building Size (Maximum \$)	0 to 100,000	100,000 to 250,000	250,000 to 500,000	500,000 to 1,000,000	1,000,000 to 2,500,000	2,500,000 to 5,000,000	5,000,000 to 10,000,000	10,000,000 to 25,000,000	25,000,000 to 50,000,000	50,000,000 to 100,000,000	100,000,000 to 250,000,000	250,000,000 to 500,000,000	500,000,000 to 1,000,000,000	1,000,000,000 to 2,500,000,000	2,500,000,000 to 5,000,000,000	5,000,000,000 to 10,000,000,000	10,000,000,000 to 25,000,000,000	25,000,000,000 to 50,000,000,000	50,000,000,000 to 100,000,000,000	100,000,000,000 to 250,000,000,000	250,000,000,000 to 500,000,000,000	500,000,000,000 to 1,000,000,000,000	1,000,000,000,000 to 2,500,000,000,000	2,500,000,000,000 to 5,000,000,000,000	5,000,000,000,000 to 10,000,000,000,000	10,000,000,000,000 to 25,000,000,000,000	25,000,000,000,000 to 50,000,000,000,000	50,000,000,000,000 to 100,000,000,000,000	100,000,000,000,000 to 250,000,000,000,000	250,000,000,000,000 to 500,000,000,000,000	500,000,000,000,000 to 1,000,000,000,000,000	1,000,000,000,000,000 to 2,500,000,000,000,000	2,500,000,000,000,000 to 5,000,000,000,000,000	5,000,000,000,000,000 to 10,000,000,000,000,000	10,000,000,000,000,000 to 25,000,000,000,000,000	25,000,000,000,000,000 to 50,000,000,000,000,000	50,000,000,000,000,000 to 100,000,000,000,000,000	100,000,000,000,000,000 to 250,000,000,000,000,000	250,000,000,000,000,000 to 500,000,000,000,000,000	500,000,000,000,000,000 to 1,000,000,000,000,000,000	1,000,000,000,000,000,000 to 2,500,000,000,000,000,000	2,500,000,000,000,000,000 to 5,000,000,000,000,000,000	5,000,000,000,000,000,000 to 10,000,000,000,000,000,000	10,000,000,000,000,000,000 to 25,000,000,000,000,000,000	25,000,000,000,000,000,000 to 50,000,000,000,000,000,000	50,000,000,000,000,000,000 to 100,000,000,000,000,000,000	100,000,000,000,000,000,000 to 250,000,000,000,000,000,000	250,000,000,000,000,000,000 to 500,000,000,000,000,000,000	500,000,000,000,000,000,000 to 1,000,000,000,000,000,000,000	1,000,000,000,000,000,000,000 to 2,500,000,000,000,000,000,000	2,500,000,000,000,000,000,000 to 5,000,000,000,000,000,000,000	5,000,000,000,000,000,000,000 to 10,000,000,000,000,000,000,000	10,000,000,000,000,000,000,000 to 25,000,000,000,000,000,000,000	25,000,000,000,000,000,000,000 to 50,000,000,000,000,000,000,000	50,000,000,000,000,000,000,000 to 100,000,000,000,000,000,000,000	100,000,000,000,000,000,000,000 to 250,000,000,000,000,000,000,000	250,000,000,000,000,000,000,000 to 500,000,000,000,000,000,000,000	500,000,000,000,000,000,000,000 to 1,000,000,000,000,000,000,000,000	1,000,000,000,000,000,000,000,000 to 2,500,000,000,000,000,000,000,000	2,500,000,000,000,000,000,000,000 to 5,000,000,000,000,000,000,000,000	5,000,000,000,000,000,000,000,000 to 10,000,000,000,000,000,000,000,000	10,000,000,000,000,000,000,000,000 to 25,000,000,000,000,000,000,000,000	25,000,000,000,000,000,000,000,000 to 50,000,000,000,000,000,000,000,000	50,000,000,000,000,000,000,000,000 to 100,000,000,000,000,000,000,000,000	100,000,000,000,000,000,000,000,000 to 250,000,000,000,000,000,000,000,000	250,000,000,000,000,000,000,000,000 to 500,000,000,000,000,000,000,000,000	500,000,000,000,000,000,000,000,000 to 1,000,000,000,000,000,000,000,000,000	1,000,000,000,000,000,000,000,000,000 to 2,500,000,000,000,000,000,000,000,000	2,500,000,000,000,000,000,000,000,000 to 5,000,000,000,000,000,000,000,000,000	5,000,000,000,000,000,000,000,000,000 to 10,000,000,000,000,000,000,000,000,000	10,000,000,000,000,000,000,000,000,000 to 25,000,000,000,000,000,000,000,000,000	25,000,000,000,000,000,000,000,000,000 to 50,000,000,000,000,000,000,000,000,000	50,000,000,000,000,000,000,000,000,000 to 100,000,000,000,000,000,000,000,000,000	100,000,000,000,000,000,000,000,000,000 to 250,000,000,000,000,000,000,000,000,000	250,000,000,000,000,000,000,000,000,000 to 500,000,000,000,000,000,000,000,000,000	500,000,00
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DESIGN CONSULTANTS

ARCHITECTS
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301-961-8708

CONTACT: MIKE WOODS

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R INT.
R DRG

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EDGEMOOC

820140

DATE ISSUED: 3/28/1



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

DEC 24 2013

MCPB No. 13-167
Project Plan No. 920140010
7340 Wisconsin Avenue
Date of Hearing: December 12, 2013

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-2, the Montgomery County Planning Board ("Planning Board" or "Board") is authorized to review project plan applications; and

WHEREAS, on August 27, 2013, Bainbridge Wisconsin Avenue Apartments LLC ("Applicant"), filed an application for approval of a project plan for a 14-story, mixed use building containing a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% moderately priced dwelling units ("MPDUs")), and a maximum of 15,000 square feet of non-residential use, which may include retail, restaurant, or service uses on 0.79 acres of CBD-2 zoned land, located on the south side of Montgomery Lane, west of Wisconsin Avenue (MD 355) ("Subject Property"), in the Bethesda CBD Policy Area, and in the Bethesda CBD Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's project plan application was designated Project Plan No. 920140010, 7340 Wisconsin Avenue ("Application" or "Project Plan"); and

WHEREAS, following review and analysis of the Application by Planning Board Staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 27, 2013, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on December 12, 2013, the Planning Board held a public hearing on the Application, and at the hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote as certified below.

Approved as to
Legal Sufficiency:

 12/19/13

M-NCPPC Legal Department
8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board APPROVES Project Plan No. 920140010 for a 14-story, mixed use building containing a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 15,000 square feet of non-residential use on the Subject Property, provided that, at a minimum, the approved building's Wisconsin Avenue frontage must include some non-residential use to be determined at site plan, subject to the following conditions:¹

1. The development is limited to a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 15,000 square feet of non-residential use, provided that, at a minimum, the approved building's Wisconsin Avenue frontage must include some non-residential use to be determined at site plan.
2. The development is limited to the building footprints as delineated in the Project Plan drawings submitted to Staff dated October 29, 2013, unless modified at site plan review. Building height is limited to 143 feet as determined by the Montgomery County Department of Permitting Services ("MCDPS") approved building height measurement point(s).
3. The building is to have at least the level of quality and style of materials shown in the rendering submitted as part of the Application on November 8, 2013, unless modified at site plan review.
4. The development will provide a minimum of 15% MPDUs based upon the total number of units, in accordance with Chapter 25A.
5. Public Use Space & Public Amenities and Facilities
 - a. The Applicant must provide a minimum of 20% of the net lot area for on-site public use space and a minimum of 27% of the net lot area for off-site public amenity space. The final design and details will be determined during site plan review.
 - b. The public use space must be easily and readily accessible to the general public and available for public enjoyment.
 - c. The Applicant must present the plaza designs and public artwork to the art review panel prior to submittal of the site plan.
6. Prior to issuance of use-and-occupancy permit, the Applicant must create and implement a maintenance plan for all on-site public use space unless an alternative arrangement is made with another public entity.
7. The Applicant must obtain written approval from MCDPS for the final design and extent of any and all streetscape improvements within the rights-of-way prior to approval of the site plan.

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

BE IT FURTHER RESOLVED that all elements of the plans for Project Plan No. 920140010, 7340 Wisconsin Avenue stamped received by M-NCPPC on October 29, 2013, are required except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that, having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and having considered the entire record, all applicable elements of Section 59-D-2.42, and the relevant provisions of Section 59-D-2.43, the Planning Board FINDS, with the conditions of approval, that:

- (a) *The development complies with all of the intents and requirements of the CBD-2 zone.*

Intents and Purposes of the CBD Zones

The Montgomery County Zoning Ordinance, Section 59-C-6.212, states the purposes that the CBD zones are designed to accomplish. The Project Plan conforms to these purposes as follows:

- (1) *"To encourage development in accordance with an adopted and approved master plan or sector plan . . . by permitting an increase in density, height, and intensity where the increase conforms to the master or sector plan . . . and the site plan . . . is approved on review by the Planning Board."*

The Project Plan is in conformance with the Sector Plan's recommendation to permit optional method residential development of up to 5 floor area ratio ("FAR") (with the additional 22% bonus density permitted for providing 15% MPDUs) and up to 143 feet in building height. The Project Plan tracks the Sector Plan goal to create a successful downtown by providing a mixed use project near the metro station.

- (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 Subject Property's location and design directly respond to the current market by providing high-rise development where the infrastructure, public facilities, and area amenities already exist and market demand is high. The Project Plan addresses the need for apartment units in a variety of sizes (from one-bedroom to three-bedroom units) close to the predominantly employment

uses already located in the Metro Core District. The additional housing opportunities created by the Project Plan, as well as the non-residential (retail, restaurant, and/or service) uses, will help to ensure that the Metro Core District remains vibrant and activated throughout the day and beyond the workday into the evening and weekends. In addition, the proximity of the Subject Property to an array of multi-modal transportation facilities shapes the Application as a pedestrian-friendly, urban redevelopment opportunity that will serve the needs and requirements of workers, shoppers, and residents of the community.

- (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 design, scale, and façade of the building will provide a consistent and complimentary relationship to adjacent buildings in the Metro Core District, the TSR zone to the west on the west side of Woodmont Avenue, and the Bethesda CBD as a whole. At the same time, the Application is designed to take advantage of its prominent location by presenting a strong and distinctive architectural presence at this important intersection. The Project Plan will improve pedestrian circulation in the area by providing the Bethesda streetscape improvements along all three adjacent street frontages, as well as the Hampden Lane Plaza, which is the public use space for the Application.

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

The Application is designed to be a transit-oriented development with convenient access to the Bethesda Metro station (both the existing entrances and the future southern entrance) and the existing Red Line and future Purple Line, bus facilities (Metrobus, RideOn, and the Bethesda Trolley all pass within a block of the Subject Property), the Bethesda CBD pedestrian network, and bikeways such as the Capital Crescent Trail. All of these facilities are located within easy walking distance of the Subject Property, and the Application's improvements will facilitate this pedestrian movement by providing Bethesda streetscape improvements on Wisconsin Avenue, Montgomery Lane, and Hampden Lane. In addition, transit use will be encouraged, because only 200 of the 309 required parking spaces are to be provided on-site, with the remainder accommodated through the parking lot district. Fewer on-site parking spaces will encourage residents and visitors to use the nearby transit options.

- (5) *"To improve pedestrian and vehicular circulation."*

The Subject Property, a former gas station, currently has a total of three curb cuts, one each on Wisconsin Avenue, Montgomery Lane, and Hampden Lane. The Project Plan greatly improves vehicular circulation on the Subject Property and the surrounding streets by eliminating the Wisconsin Avenue and Hampden Lane curb cuts. Vehicles will instead use the entrance to the structured parking and the loading and service area on Montgomery Lane. These driveways have been placed as far from the intersection with Wisconsin Avenue as possible. The Project Plan will improve the pedestrian experience around the Subject Property by providing the Bethesda streetscape treatment along the Wisconsin Avenue, Montgomery Lane, and Hampden Lane frontages, along with the public use space adjacent to Hampden Lane.

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

The Application includes both market-rate units and MPDUs, which comprise 15% of the total number of units. The units include a variety of unit sizes, from one-bedroom to three-bedroom units, appealing to residents with a range of incomes, needs, and desires.

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

Land assembly is not applicable to this project, as the Subject Property consists of one platted lot. However, the Application does promote desirable use of the land because the Application redevelops the former gas station site into a mixed-use project that is more appropriate for the Subject Property's prominent location in the heart of the Bethesda CBD.

Further Intent of the CBD-2 zone

Section 59-C-6.213 of the Zoning Ordinance states further intent of the CBD-2 zone.

(1) *In the CBD-2 Zone, "it is further the intent to foster and promote the orderly development of the Central Business Districts 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 Subject Property will offer a variety of housing options through provision of both market-rate units and MPDUs. The market-rate units will be in an array of unit sizes, and it is the Montgomery County Department of Housing

and Community Affairs' ("MCDHCA's") practice to require MPDU unit size counts to match those of the market-rate units. This will provide residential opportunities in an area otherwise dominated by employment uses. In addition, the Application provides non-residential uses (retail, restaurant, and/or service uses), which will enhance the living environment for residents of the Subject Property and provide retail opportunities for nearby residents, workers, and visitors. All of these uses are located within easy walking distance of the Bethesda Metro station, bus facilities, and bikeway and pedestrian routes, including the Capital Crescent Trail.

- (2) *"In the CBD-2 Zone, it is further the purpose to provide a density and intensity of development which will permit an appropriate transition from the cores of central business districts to the less dense peripheral areas within and adjacent to the districts."*

The Project Plan is in conformance with the Sector Plan's recommendations to develop to 5 FAR (with the additional 22% bonus density permitted through the provision of 15% MPDUs) and a maximum of 143 feet in building height. In conformance with the Sector Plan, the 143 feet in building height represents a step-down from the 200-foot building heights permitted in the Bethesda Metro Station block.

- (3) *"In the CBD-2 Zone, it is further the purpose to provide an incentive for the development of residential uses to meet the needs of those employed within the central business districts and those who will be able to use the district transit facilities to travel to and from places of employment."*

The Application will provide residential units located in the predominantly employment oriented Metro Core District, and will thus provide much-needed homes within easy walking distance of the District's jobs. The Subject Property is also located within easy walking distance of the Bethesda Metro station (with its existing Red Line and future Purple Line) and bus facilities. The Project Plan includes both market-rate units and 15% MPDUs, and the units include a variety of unit sizes, from one-bedroom to three-bedroom units, appealing to residents with a range of incomes, needs, and desires.

Requirements of the CBD-2 zone

The data table below lists the development standards as required and as approved by the Planning Board and binding on the Applicant. The Planning Board finds, based on the data table and other evidence and testimony of record, that the Application meets all of the applicable requirements of the optional method of development in the CBD-2 zone.

DATA TABLE

Development Standard	Permitted/ Required	Approved
Gross Tract Area (sf.)	18,000	34,605
Previous Dedications (sf.)		15,926
Current Dedications (sf.)		0
Net Lot Area (sf.)		18,679
Maximum Density (FAR) (base)	5	5
Maximum Floor Area, Total (sf.) (base)	173,025	173,025
Maximum Density, Non-residential (FAR)	3	0.4
Maximum Floor Area, Non-residential (sf.)	103,815	15,000
Maximum Density, Residential (FAR) (base)	4.6	4.6
Maximum Floor Area, Residential (sf.) (base)	158,025	158,025
Maximum Density, Residential (FAR) (including 22% density bonus)	5.6	5.6
Maximum Floor Area, Residential (sf.) (including 22% density bonus)	192,791	192,791
Maximum Density, Total (FAR) (including 22% density bonus)	6	6
Maximum Floor Area, Total (sf.) (including 22% density bonus)	207,791	207,791
Maximum Dwelling Units, total	N/a	225
Minimum MPDU (%)	12.5	15
Building Height, Maximum (ft.)	143	143
Building Setback, Minimum	N/A	0
Parking Spaces, Maximum		
Residential	288	
Non-residential	75	
Less 15% Metro Credit	-54	
Total Parking Spaces Required	309	200 ¹
On-Site Public Use Space, Minimum (% of net lot area)	20	20
On-Site Public Use Space (sf.)	3,736	3,750
Off-Site Public Amenity Space (% of net lot area)	N/a	27
Off-Site Public Amenity Space (sf.)	N/a	5,063

¹ The site is located in the Bethesda parking lot district, and as such is not required to provide the full complement of parking spaces. The total number of spaces will be determined at site plan. Parking that is not provided on the site, consistent with Section 59-E, will be subject to an ad valorem tax.

According to the Zoning Ordinance (Section 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 the developer must provide certain public facilities and amenities. 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 Application is proffering the following package of amenities and public facilities:

The Project Plan will provide on-site public use space in the form of a plaza adjacent to the Hampden Lane Frontage. The plaza will contain benches, planting areas, and public art. The plaza will be partially covered by a cantilevered portion of the building above. The Project Plan will also provide public amenity space in the street right-of-way, which will consist of the standard Bethesda streetscape, including sidewalk pavers, street lamps, trash cans, street trees, and landscaping.

The Applicant presented initial concepts to the art review panel on October 2, 2013. While it was still early in the design process of both the development generally and the art component specifically, the Applicant sought the panel's feedback on the project's initial concepts for the public artwork. These concepts include activating the space and engaging passing pedestrians and taking into account the development's architecture in choosing the art component. Based on the art review panel's feedback, the Applicant is continuing to refine the concept and to search for the right artist. The Applicant will continue to refine the design and public art component and will present the art proposal to the art review panel again prior to the Planning Board hearing on the site plan application.

(b) The development conforms to the Sector Plan.

The Subject Property is located within the Bethesda CBD Sector Plan area. The Project Plan substantially conforms to the recommendations in the Sector Plan in the following ways:

- *Strengthen the Metro Core as the center of Bethesda, with greatest emphasis on and around the Metro Center and plaza.*

The Application will significantly strengthen the Metro Core District by replacing the prior, automobile-oriented gasoline and service station use with a mixed-use, transit-oriented, and pedestrian-friendly project. In addition, the Project Plan will significantly improve and strengthen the pedestrian experience along Wisconsin Avenue, Montgomery Lane, and Hampden Lane,

by providing the Bethesda streetscape improvements and the public use space adjacent to Hampden Lane, which will feature unique pavers, plantings, seating, lighting, and public artwork components.

- *Increase the choices and activities in the Metro Core associated with retail, restaurants, cultural programming, open space, and pathways.*

The Project Plan provides up to 15,000 square feet of non-residential uses, which will be devoted to retail, restaurant, and/or service establishments. At a minimum, some non-residential use will be located along the approved building's Wisconsin Avenue frontage. In addition, the Project Plan provides multi-family residential units directly on Wisconsin Avenue, which represents a fairly unique use in this stretch of Wisconsin Avenue and helps to increase the choices and activities in the Metro Core District beyond the current office buildings. This mix of uses is essential to providing the daytime, nighttime, and weekend environment that is critical to a vibrant and successful downtown. The nearest existing significant multi-family residential buildings along Wisconsin Avenue are located approximately five blocks to the north – at the corner of Wisconsin Avenue/Fairmont Avenue (Fairmont Plaza) – and approximately five blocks to the south – at the corner of Wisconsin Avenue/Bradley Lane (The Adagio), although multi-family residential projects have been approved both north of the Subject Property in the Metro Core District at 7535 Old Georgetown Road and south of the Subject Property at 7100 Wisconsin Avenue in the Wisconsin South Corridor. In addition to activating the street through the incorporation of retail uses with residential uses, the Subject Property will improve the pedestrian experience and open space opportunities in the Metro Core District, by providing the Bethesda streetscape treatment along all three property frontages as well as the new plaza along Hampden Lane.

- *Develop a compact core that places the highest intensity in the center, provides distinctive infill buildings, and steps down to lower densities and heights near the edge of the district.*

The Project Plan fulfills this Sector Plan objective by developing this former gas station site with an architecturally distinctive mixed-use project, which, at 143 feet in building height, represents a step-down in building height from the center of the Metro Core District, where 200 feet in building height is permitted in the block just to the north where the Bethesda Metro station is located. The building is a composition of three distinct volumes, one for each of the streets that define the Subject Property. These volumes step down from north to south, with the tallest volume on the Montgomery Lane frontage, anchoring the building to the prominent corner at the intersection at

Montgomery Lane and Wisconsin Avenue. Each volume, while varied in height and scale, corresponds to the adjacent streets in a stepped volumetric expression. The second volume also supports the main outdoor rooftop amenity space and addresses Wisconsin Avenue, while the third volume steps down to scale the building to Hampden Lane. This stepping maximizes views to the exterior for the building's residents and highlights the varying building heights.

- *Emphasize employment near Metro transit to complete Metro Core development.*

While the Sector Plan's Future Land Use map (Sector Plan, page 59) recommends the Subject Property for employment uses, the Sector Plan also notes on pages 4 and 58 that optional method residential use is permitted in the Metro Core District at 5 FAR and that some new housing may be provided in the Metro Core District. These recommendations clearly leave open the possibility that residential uses may be provided, and are in fact desired, in the Metro Core District.

The Sector Plan recommends that the block containing the Subject Property be "Employment: Office: Medium to High Density" as shown on the left side of the map on page 17 of the Staff Report. The map on the right on page 17 of the Staff Report exhibits the existing development within the Metro Core. A number of properties identified for retail and mixed use have been approved for office space, including Bethesda Center, which went from an original proposal of hotel, restaurant, and retail to hotel and 256,672 square feet of office. This demonstrates that the goals and objectives for employment in the Metro Core are being met. The map also demonstrates that within the Metro Core, the predominant land use is retail, office, and institutional/community. The few multi-family housing sites, shown in dark blue on the map of existing and approved development, are primarily on the periphery of the Core. A mix of residential and employment is needed in the District to achieve the Sector Plan's objective for a greater focus of activities and a better sense of community.

While the Sector Plan recommends employment uses for much of the Metro Core District, the office market for this area is weak, and the demand for residential living at this transit-proximate location is strong. At this time, there are very few residential uses located in the Metro Core District to satisfy the high demand, and those in existence are located on the periphery of the District. The project represents an opportunity to place multi-family residential units near the substantial employment uses already located in the Metro Core District, creating the vibrancy of extended activity into the nighttime. Too

much office use without complimentary residential uses does not promote the extended activity needed for a successful downtown.

There is also recent precedent in which a mixed use (multi-family residential with ground-floor non-residential) project has been approved for a site located in the Metro Core District for which the Sector Plan recommends employment uses. On March 14, 2013, the Planning Board considered the 7535 Old Georgetown Road project, also known as "Bethesda Commerce" (Project Plan 920130030). The Board approved the 15-story mixed-use project with up to 120 multi-family residential units and up to 5,000 square feet of non-residential uses. In the staff report for that application, Staff noted that the Sector Plan's targeted Stage 1 housing and employment goals have been satisfied (projections of 5,000 jobs and 2,150 housing units above the existing 1994 numbers), and that the Sector Plan sets Stage 2 and Stage 3 targets of 54,900 jobs and 8,300 housing units. Staff determined that as of 2011, the Bethesda CBD contained 41,561 jobs and 6,793 dwelling units, indicating that the Sector Plan's targets for job/housing mix are on track. Staff noted that the Metro Core District itself contains over 19,500 jobs, a number which is anticipated to rise as the 7500 Wisconsin redevelopment comes on-line, and when the 7200 Woodmont Avenue and Bethesda Center projects are constructed. Staff also noted that a number of properties in the Metro Core District identified for retail and mixed-use development have been approved for office space and employment uses instead. As a result, the Board concluded that the Bethesda Commerce project satisfied the goals of the Sector Plan for the Metro Core District, and helped to foster a preferred mix of residential and employment that is needed to both meet the needs of the Sector Plan objectives for a greater focus of activities and a better sense of community, as well as providing a sustainable future where citizens can live, work, and play in the same location.

Similarly, the Project Plan represents an opportunity to place residential uses, envisioned by the Sector Plan to be included in the Metro Core District, in close proximity to the predominantly employment uses in the District. The Project Plan will represent one of the few multi-family residential projects in the Metro Core District south of the Bethesda Metro station, and will be the only such project located along Wisconsin Avenue. As found with the Bethesda Commerce site, this Application will provide an opportunity to house residents directly adjacent to employment opportunities, in conformance with the goals of the Sector Plan.

Even though the Application is primarily residential, there remain numerous opportunities for new employment uses in the Metro Core District. According to M-NCPPC's chart of pipeline development dated September

2013, over 1.2 million square feet of office uses have been approved in the CBD as a whole and are not yet built, representing over 5,000 jobs at the rate of one job per 225 square feet of floor area. Several of these projects are located specifically within the Metro Core District, including Woodmont 7200, 4500 East West Highway, and Bethesda Center.

- *Reinforce Metro Center as the focus of urban activity. Adjacent properties should develop in a manner that complements the activities and urban open space at Metro Center.*

The Project Plan represents a step-down in building height from the block containing the Bethesda Metro station, located one block north of the Subject Property. While the Application's architecture and public use space located along Hampden Lane will be distinctive, the project is still of smaller scale than the 200-foot tall buildings in the Metro station block and the large urban open spaces located at Metro, thus fostering the notion that the Metro Station block should be the strongest focus of urban activity. Additionally, the project's on-site public use spaces and off-site amenities (including streetscape) will foster and facilitate pedestrian movement to the Bethesda Metro station.

- *Maintain a compact development with the tallest buildings concentrated in the center. Development at perimeter locations of the Metro Core should step down in height to achieve a more gradual transition and better compatibility with the adjacent areas.*

The Application fulfills this Sector Plan objective by proposing a building height of 143 feet, which represents a step-down in building height from the center of the Metro Core District, where 200 feet in building height is permitted in the block just to the north that includes the Bethesda Metro Station. In addition, the Application establishes compatibility with nearby properties by proposing a composition of three distinct volumes, one for each of the streets that are adjacent to the Subject Property. These volumes step down from north to south, with the tallest volume appropriately located on the Montgomery Lane frontage, anchoring the building to the prominent corner intersection at Montgomery Lane and Wisconsin Avenue. The second volume supports the main outdoor rooftop amenity space and addresses Wisconsin Avenue, while the third volume steps down to appropriately scale the building to Hampden Lane.

- *Locate new open space to tie into the existing "Discovery Trail" network and to expand the pedestrian connections. Where appropriate, locate*

new open space in a manner that reinforces the gateways and provides a transition between districts.

While the Subject Property is not located directly adjacent to the Discovery Trail, which comes closest to the Subject Property where it runs along the west side of East Lane, approximately one half block to the west, the project will significantly improve and strengthen the pedestrian experience along Wisconsin Avenue, Montgomery Lane, and Hampden Lane by providing the Bethesda streetscape improvements and the Hampden Lane public use space. The Subject Property will feature unique pavers, plantings, seating, lighting, and public artwork components. Provision of the Hampden Lane public use space also begins to help transition the uses located in the Metro Core District along Wisconsin Avenue down to the TSR (Transit Station Residential) District to the west on the west side of Woodmont Avenue.

The Project Plan substantially conforms to the intent of the Sector Plan for the Metro Core District.

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

The Project Plan proposes an appropriately scaled mixed-use redevelopment that fulfills the Sector Plan's vision for the area. The Application will replace the automobile-oriented former gas station with a vibrant, transit-oriented, mixed-use development that will add to the urban redevelopment of downtown Bethesda. The Application proposes an appropriate height and density given that it is located in the Sector Plan's Metro Core District, only one block away from the Bethesda Metro Station.

The shade relationships associated with the proposal are shown in an illustration in the Staff Report. As shown, the shadows cast by the building will have a similar impact on surrounding areas as the shadows cast by existing buildings. In addition, the illustrations show that the public use space will receive sunlight throughout much of the year.

- (d) The development does 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 Application will not overburden existing public services nor those programmed for availability. The Applicant submitted a traffic study that shows that the Application satisfies Local Area Transportation Review (LATR) and is exempt from Transportation Policy Area Review (TPAR) requirements. The Subject Property is in the Bethesda Transportation Management District, and, therefore, the Applicant is required to enter into a Traffic Mitigation Agreement. The Application is also simultaneously proceeding through adequate public facilities review as part of the preliminary plan amendment submitted with the Application.

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

Under the standard method of development, land uses and density appropriate for a transit-proximate location will not be realized, nor will the level of public use space or public amenities that are provided in the optional method of development. Additionally, under the standard method of development, the housing potential for the Subject Property would not be realized, and the prominent and strategically important location of the Subject Property would be vastly underutilized if developed under the standard method. By utilizing the optional method of development for the Project Plan, the public will enjoy 20 percent on-site public use space as well as off-site public amenity space. The Project Plan provides the opportunity to improve the visibility and attractiveness of the Subject Property, to provide homes, including 15% MPDUs and the resulting 22% density bonus, non-residential uses (retail, restaurant, or service), improved streetscapes, and high-quality public amenities in the Metro Core District.

- (f) *The development includes moderately priced dwelling units in accordance with Chapter 25A of the Montgomery County Code.*

The Project Plan will provide 15% on-site MPDUs (with the final number of MPDUs provided to be based upon the total unit count established at the time of certified site plan). An MPDU agreement will be executed between the Applicant and MCDHCA prior to issuance of a building permit for the project. The agreement will address all of the provisions for construction of the MPDUs as provided in Chapter 25A of the County Code.

- (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, the Project Plan may be approved by the Planning Board based on the following findings:*

This finding is not applicable, as the Subject Property is already comprised of one record lot and no transfer of public open space or development density is proposed.

- (h) The development satisfies any applicable requirements for forest conservation under Chapter 22A of the Montgomery County Code.*

Under Section 22A-5(s), as confirmed by Staff in a letter dated June 12, 2013, the project is exempt from the forest conservation requirements.

- (i) The development satisfies any applicable requirements for water quality resources protection under Chapter 19 of the Montgomery County Code.*

The MCDPS Stormwater Management Section approved the stormwater management concept on November 13, 2013. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent possible through the use of a green roof and micro-bioretenention planter box. The remaining volume will be treated in a structural proprietary filter.

- (j) Any public use space or public facility or amenity to be provided off-site is consistent with the goals of the Sector Plan and serves the public interest better than providing the public use space or public facilities and amenities on-site.*

The Applicant is providing all required public use space and amenities and facilities on-site.

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

BE IT FURTHER RESOLVED that this Project Plan shall remain valid as provided in Montgomery County Code § 59-D-2.7; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Planning Board and that the date of this Resolution is DEC 24 2013 (which is the date that this Resolution is mailed to all parties of record); and

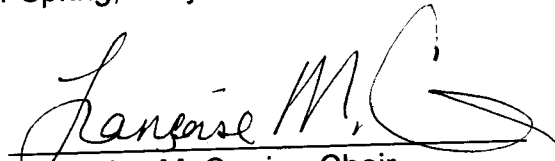
BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion, at its regular meeting held on Thursday, December 12, 2013, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board



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

DEC 26 2013

MCPB No. 13-168
Preliminary Plan No. 11994080A
7340 Wisconsin Avenue
Date of Hearing: December 12, 2013

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on June 9, 1994, the Planning Board approved Preliminary Plan No. 119940800, creating one lot on 0.79 acres of land in the CBD-2 zone, located on the south side of Montgomery Lane, west of Wisconsin Avenue (MD 355) ("Subject Property"), in the Bethesda CBD Policy Area, Bethesda CBD Sector Plan ("Sector Plan") area; and

WHEREAS, on August 27, 2013, Bainbridge Wisconsin Avenue Apartments LLC ("Applicant"), filed an application for approval of an amendment to the previously approved preliminary plan to change the use from the previously approved gas station to a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% moderately priced dwelling units ("MPDUs")), and a maximum of 15,000 square feet of non-residential use, which may include retail, restaurant, or service uses on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 11994080A, 7340 Wisconsin Avenue ("Preliminary Plan", "Amendment" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 27, 2013, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on December 12, 2013, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Preliminary Plan No. 11994080A to change the use of the Subject Property from the previously approved gas station to a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 15,000 square feet of non-residential use, limited to retail, restaurant, or service uses and provided that, at a minimum, the approved building's Wisconsin Avenue frontage must include some non-residential use to be determined at site plan, subject to the following conditions:¹

- 1) All conditions imposed by the approval of Preliminary Plan No. 119940800 in the Planning Board Resolution dated July 11, 1994, are superseded by the conditions contained herein.
- 2) The Applicant must comply with the conditions of approval for Project Plan 920140010.
- 3) This Preliminary Plan is limited to a maximum of 192,791 square feet of multi-family residential uses, consisting of no more than 225 multi-family dwelling units (including a minimum of 15% MPDUs), and a maximum of 15,000 square feet of non-residential use, limited to retail, restaurant, or service uses and provided that, at a minimum, the approved building's Wisconsin Avenue frontage must include some non-residential use to be determined at site plan.
- 4) The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated November 8, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 5) Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
- 6) The Planning Board has accepted the recommendations of the Maryland State Highway Administration ("MDSHA") in its letter dated October 15, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

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

- 7) The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated November 13, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 8) The Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Bethesda Transportation Management District and must execute the TMAg prior to approval of the record plat. The TMAg must include trip mitigation measures recommended by MCDOT.
- 9) 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 approval. 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.
- 10) The record plat must show necessary easements.
- 11) The final number of MPDUs as per condition #3 above will be determined at the time of site plan approval.
- 12) The Planning Board has accepted the recommendations of the Montgomery County Department of Housing and Community Affairs ("MCDHCA") in its letter dated November 13, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDHCA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 13) The Subject Property is within the Bethesda Chevy Chase School cluster area. The Applicant must make a School Facilities Payment to MCDPS at the high school level at the high-rise unit rates for all units for which a building permit is issued and a School Facilities Payment is applicable. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.
- 14) The Applicant must provide certification from an engineer specializing in acoustics that the building shell has been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn prior to building permit. The Applicant must commit to construct the units in accord

- with these design specifications, with any changes that may affect acoustical performance approved by the engineer and Staff in advance of installation.
- 15) After construction is complete and before issuance of occupancy permits, the Applicant must provide certification that interior noise levels do not exceed 45 dBA Ldn.
 - 16) No clearing, grading or recording of plats prior to certified site plan approval.
 - 17) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
 - 18) 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.

BE IT FURTHER RESOLVED, that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. The Preliminary Plan substantially conforms to the Master Plan.

The Subject Property is located within the Bethesda CBD Sector Plan area. The Preliminary Plan substantially conforms to the recommendations in the Sector Plan in the following ways:

- *Strengthen the Metro Core as the center of Bethesda, with greatest emphasis on and around the Metro Center and plaza.*

The Preliminary Plan will significantly strengthen the Metro Core District by replacing the prior, automobile-oriented gasoline and service station use with a mixed-use, transit-oriented, and pedestrian-friendly project. In addition, the Preliminary Plan will significantly improve and strengthen the pedestrian experience along Wisconsin Avenue, Montgomery Lane, and Hampden Lane, by providing the Bethesda streetscape improvements and the public use space adjacent to Hampden Lane, which will feature unique pavers, plantings, seating, lighting, and public artwork components.

- *Increase the choices and activities in the Metro Core associated with retail, restaurants, cultural programming, open space, and pathways.*

The Preliminary Plan provides up to 15,000 square feet of non-residential uses, which will be devoted to retail, restaurant, and/or service establishments. At a minimum, some non-residential use will be located along the approved building's Wisconsin Avenue frontage. In addition, the

Preliminary Plan provides multi-family residential units directly on Wisconsin Avenue, which represents a fairly unique use in this stretch of Wisconsin Avenue and helps to increase the choices and activities in the Metro Core District beyond the current office buildings. This mix of uses is essential to providing the daytime, nighttime, and weekend environment that is critical to a vibrant and successful downtown. The nearest existing significant multi-family residential buildings along Wisconsin Avenue are located approximately five blocks to the north – at the corner of Wisconsin Avenue/Fairmont Avenue (Fairmont Plaza) – and approximately five blocks to the south – at the corner of Wisconsin Avenue/Bradley Lane (The Adagio), although multi-family residential projects have been approved both north of the Subject Property in the Metro Core District at 7535 Old Georgetown Road and south of the Subject Property at 7100 Wisconsin Avenue in the Wisconsin South Corridor. In addition to activating the street through the incorporation of retail uses with residential uses, the Subject Property will improve the pedestrian experience and open space opportunities in the Metro Core District, by providing the Bethesda streetscape treatment along all three property frontages as well as the new plaza along Hampden Lane.

- *Develop a compact core that places the highest intensity in the center, provides distinctive infill buildings, and steps down to lower densities and heights near the edge of the district.*

The Preliminary Plan fulfills this Sector Plan objective by developing this former gas station site with an architecturally distinctive mixed-use project, which, at 143 feet in building height, represents a step-down in building height from the center of the Metro Core District, where 200 feet in building height is permitted in the block just to the north where the Bethesda Metro station is located. The building is a composition of three distinct volumes, one for each of the streets that define the subject property. These volumes step down from north to south, with the tallest volume on the Montgomery Lane frontage, anchoring the building to the prominent corner at the intersection at Montgomery Lane and Wisconsin Avenue. Each volume, while varied in height and scale, corresponds to the adjacent streets in a stepped volumetric expression. The second volume also supports the main outdoor rooftop amenity space and addresses Wisconsin Avenue, while the third volume steps down to scale the building to Hampden Lane. This stepping maximizes views to the exterior for the building's residents and highlights the varying building heights.

- *Emphasize employment near Metro transit to complete Metro Core development.*

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(Project Plan 920130030). The Board ultimately approved the 15-story mixed-use project with up to 120 multi-family residential units and up to 5,000 square feet of non-residential uses. In the staff report for that application, Staff noted that the Sector Plan's targeted Stage 1 housing and employment goals have been satisfied (projections of 5,000 jobs and 2,150 housing units above the existing 1994 numbers), and that the Sector Plan sets Stage 2 and Stage 3 targets of 54,900 jobs and 8,300 housing units. Staff determined that, as of 2011, the Bethesda CBD contained 41,561 jobs and 6,793 dwelling units, indicating that the Sector Plan's targets for job/housing mix are on track. Staff noted that the Metro Core District itself contains over 19,500 jobs, a number which is anticipated to rise as the 7500 Wisconsin redevelopment comes on-line and when the 7200 Woodmont Avenue and Bethesda Center projects are constructed. Staff also noted that a number of properties in the Metro Core District identified for retail and mixed-use development have been approved for office space and employment uses instead. As a result, the Board concluded that the Bethesda Commerce project satisfies the goals of the Sector Plan for the Metro Core District, and helps to foster a preferred mix of residential and employment that is needed to both meet the needs of the Sector Plan objectives for a greater focus of activities and a better sense of community, as well as providing a sustainable future where citizens can live, work, and play in the same location.

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- *Reinforce Metro Center as the focus of urban activity. Adjacent properties should develop in a manner that complements the activities and urban open space at Metro Center.*

The building represents a step-down in building height from the block containing the Bethesda Metro station, located one block north of the Subject Property. While the Application's architecture and public use space located along Hampden Lane will be distinctive, the Subject Property is still of smaller scale than the 200-foot tall buildings in the Metro station block and the large urban open spaces located at Metro, thus fostering the notion that the Metro Station block should be the strongest focus of urban activity. Additionally, the Subject Property's on-site public use spaces and off-site amenities (including streetscape) will foster and facilitate pedestrian movement to the Bethesda Metro station.

- *Maintain a compact development with the tallest buildings concentrated in the center. Development at perimeter locations of the Metro Core should step down in height to achieve a more gradual transition and better compatibility with the adjacent areas.*

The Preliminary Plan addresses this Sector Plan objective with a building 143 feet in height, which represents a step-down in building height from the center of the Metro Core District, where 200 feet in building height is permitted in the block just to the north that includes the Bethesda Metro Station. In addition, the Preliminary Plan establishes compatibility with nearby properties by proposing a composition of three distinct volumes, one for each of the streets that are adjacent to the Subject Property. These volumes step down from north to south, with the tallest volume appropriately located on the Montgomery Lane frontage, anchoring the building to the prominent corner intersection at Montgomery Lane and Wisconsin Avenue. The second volume supports the main outdoor rooftop amenity space and addresses Wisconsin Avenue, while the third volume steps down to appropriately scale the building to Hampden Lane.

- *Locate new open space to tie into the existing "Discovery Trail" network and to expand the pedestrian connections. Where appropriate, locate new open space in a manner that reinforces the gateways and provides a transition between districts.*

While the Subject Property is not located directly adjacent to the Discovery Trail, which comes closest to the Subject Property where it runs along the west side of East Lane, approximately one half block to the west, the Subject Property will significantly improve and strengthen the pedestrian

experience along Wisconsin Avenue, Montgomery Lane, and Hampden Lane by providing the Bethesda streetscape improvements and the Hampden Lane public use space. The Subject Property will feature unique pavers, plantings, seating, lighting, and public artwork components. Provision of the Hampden Lane public use space also begins to help transition the uses located in the Metro Core District along Wisconsin Avenue down to the TSR (Transit Station Residential) District to the west on the west side of Woodmont Avenue.

2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

Roads and Transportation Facilities

Roads and transportation facilities will be adequate to support and service the Subject Property, as described below:

a. Access, Parking, and Public Transportation

The Subject Property currently has three vehicular access points: one on Montgomery Lane, one on Wisconsin Avenue (MD 355), and one on Hampden Lane. The development will consolidate these existing access points to two driveways – one for loading and one for parking – that will be located at a single point of access on Montgomery Lane. As a result of the existing one-way operation of Montgomery Lane, the site access will be restricted to a right-in, right-out movement. Applicant proposed the garage access driveway to have a 20-foot-wide apron at the property line, but MCDOT has commented that the width should not be less than 24 feet to accommodate a 14-foot lane for inbound traffic and a 10-foot lane for outbound traffic. Therefore, the site plan will be conditioned to provide MCDOT's configuration. The parking garage on the Subject Property will contain 200 spaces. Pedestrian and bicyclist access to the site will be provided along each of the three frontage roadways and sidewalks.

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail station (approximately 500 feet away), Metrobus, RideOn, and the Bethesda Circulator. Future transit in the area includes a proposed Purple Line station and new Metrorail station entrance, located approximately 300 feet to the south. Specific transit routes near the Site include:

1. RideOn Bus Routes 29, 30, 32, 33, 34, 36, 47, 70
2. WMATA Metrobus Routes J2, J3, and J4

b. Master Plan Roadways and Pedestrian/Bikeway Facilities

The Sector Plan and 2005 Countywide Bikeways Functional Master Plan recommend the following facilities along the Subject Property frontage:

1. Wisconsin Avenue (MD 355), along the eastern site frontage, as Major Highway (M-6), between Bradley Boulevard and the northern limits of the Central Business District, with a minimum right-of-way width of 115 feet.
2. Hampden Lane, along the southern site frontage, as a Biker Friendly Area and Business District Street with a minimum right-of-way width of 60 feet.
3. Montgomery Lane, along the northern site frontage, as a Business District Street with a minimum right-of-way width of 70 feet.

Because all three roads currently meet the recommended minimum right-of-way widths, no right-of-way dedications are required. Additionally, there are no specific master planned bikeway recommendations applicable to the Subject Property.

c. Local Area Transportation Review

A traffic study, dated July 25, 2013, was submitted for the Application per the LATR/TPAR Guidelines, since the development was estimated to generate more than 30 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.

A site trip generation summary for the development, provided in the Staff Report, shows that the Subject Property will generate 78 peak-hour trips during the weekday morning peak period and 107 peak-hour trips during the weekday evening peak period. Since the existing site, a former gas station, is vacant, the Applicant is claiming zero trip credits.

A summary of the capacity analysis/Critical Lane Volume (CLV) analysis for the weekday morning and evening peak-hour periods, presented in the Staff Report, shows that the total (Build) condition will remain within the policy area congestion standard of 1,800 CLV. Based on the analysis presented in the traffic study, the Application satisfies the LATR requirements of the APF test.

d. *Transportation Policy Area Review*

Since the development is within the Bethesda CBD, a Metro Station Policy Area ("MSPA"), the Subject Property is adequate under the roadway test and exempt from the transit test set forth in the 2012-2016 Subdivision Staging Policy. As a result of these findings and the development's location in a MSPA, the development is not required to make a payment to satisfy the TPAR requirement.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the development. The Subject Property will be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service, which determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, and health services are operating according to the Subdivision Staging Policy resolution currently in effect and will be adequate to serve the Subject Property. The Subject Property is within the Bethesda Chevy Chase High School cluster area, which is currently operating between 105-120% of capacity at the high school level, and a school facilities payment is required. Electrical, telecommunications, and gas services are also available to serve the Subject Property.

3. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

The Preliminary Plan does not create any new lots. Rather, the purpose of the Preliminary Plan is to conduct an APF test for the change in use from the previously approved gas station to the mixed-use building. Nonetheless, the existing lot has been evaluated, and the lot size, width, shape, and orientation are appropriate for the location of the subdivision taking into account the recommendations included in the Sector Plan, and for the type of development or use contemplated. The Sector Plan does not make any specific recommendations regarding the size of lots. However, the Sector Plan does recommend that the Subject Property be developed with mixed-use development, as has been approved on the site. As evidenced by the Preliminary Plan, the site is sufficiently large to efficiently accommodate the approved mix of uses.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The Application was granted an exemption from submitting a forest conservation plan per section 22A-5(s)(1) on June 12, 2013. The Subject Property was eligible for an exemption, because it is smaller than 1.5 acres with no existing forest, specimen trees, or champion trees, and the afforestation requirements would not exceed 10,000 square feet.

5. *All storm water management requirements shall be met as provided in Chapter 19, article II, title "storm water management", Section 19-20 through 19-35.*

This finding is based in part upon the determination by MCDPS that the Stormwater Management Concept Plan meets applicable standards.

The MCDPS Stormwater Management Section approved the stormwater management concept on November 13, 2013. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent possible through the use of a green roof and micro-bioretenention planter box. The remaining volume will be treated in a structural proprietary filter.

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

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 26 2013 (which is the date that this Resolution is mailed to all parties of record); and

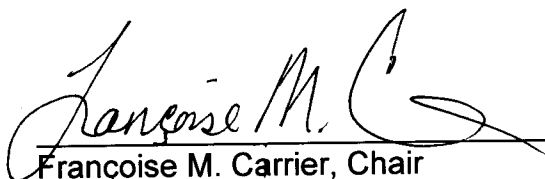
BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor at its regular meeting held on Thursday, December 12, 2013, in Silver Spring, Maryland.

A handwritten signature in black ink, appearing to read "Françoise M. Carrier", is written over a horizontal line.

Françoise M. Carrier, Chair
Montgomery County Planning Board



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

November 8, 2013

Arthur Holmes, Jr.
Director

Mr. Neil Braunstein, 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. 11994080A
7340 Wisconsin Avenue

Nail:
Dear Mr. Braunstein:

We have completed our review of the amended preliminary plan dated August 23, 2013. This plan was jointly reviewed with Project Plan No. 920140010 by the Development Review Committee at its meeting on October 14, 2013. This letter also provides MCDOT's conditional approval recommendations for Project Plan No. 920140010. We recommend approval of the project 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. Dedicate necessary right-of-way along Wisconsin Avenue (MD355) site frontage 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 have completed our review of the consultant's July 2013 storm drain capacity and impact analyses report. That report indicates the pre- and post-development ten (10) year runoff from the site will be the same (4.64 cfs). The downstream study point is located on the opposite (northern) side of Montgomery Lane – although the report does not indicate how the ten (10) year runoff will be conveyed to the opposite side enclosed system. Per the MCDOT Storm Drain Criteria, a curb opening inlet is required when the concentrated flow in a gutter exceeds 3 cfs. Therefore, the applicant will need to construct a new curb opening inlet on the south side of Montgomery Lane and connect same to one of their new storm drain pipes proposed to cross that roadway. This inlet will need to be sized to intercept a minimum of seventy (70) percent of the flow and a maximum spread of eight (8) feet. The proposed crossing pipes must be designed and constructed in accordance with the MCDOT Storm Drain Criteria.

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

4. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
5. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This pavement width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.

We have reviewed the applicant's October 28, 2013 response to our DRC comment on this issue. After considering the site location, business district classification of Montgomery Lane, and multi-modal movements in that area, **we do not support constructing the garage apron to twenty (20) feet wide at the property line.**

6. Provide Bethesda CBD streetscaping along Hampden Lane, Montgomery Lane, and Wisconsin Avenue site frontages.
7. Truck loading space requirements to be determined in accordance with the Executive Branch's "Off-Street Loading Space" policy.
8. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.
9. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
10. 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.
11. Access and improvements along the Wisconsin Avenue (MD355) site frontage as required by the Maryland State Highway Administration.
12. An increase in bicycle traffic is anticipated along Montgomery Lane with bikeshare stations being introduced throughout the Bethesda Central Business District. A bikeshare station will be located on the north side of Montgomery Lane west of East Lane. In addition, Montgomery Lane and Hampton Lane are identified in the 1994 Approved and Adopted Bethesda CBD Sector Plan (page 158 Figure 5.5) as "Biker Friendly Areas" to provide continuity of bikeways through the CBD and better access to stores and transit. Therefore, we recommend that along the Montgomery Lane frontage there should not be any vertical structures (planters, café seating) encroaching within the minimum, clear six (6) foot wide sidewalk area where a high volume of pedestrians and cyclists are expected to travel.
13. We support the Maryland State Highway Administration's proposal to remove the existing eastbound "hot right" turn lane on Montgomery Lane at Wisconsin Avenue (MD355). Prior to submission of the record plat, we recommend the applicant contact the MSHA to determine the status of that design; if a design has been prepared, it should be reflected on the Site Plan.

14. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
15. 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.
16. 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.
17. 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.
18. 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.
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. Construct Bethesda CBD Streetscaping along the Montgomery Lane and Hampden Lane site frontages.
 - b. Construct new storm drain inlet on the south side of Montgomery Lane.
 - c. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - d. 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.
 - e. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Neil Braunstein
Preliminary Plan No. 11994080A
November 8, 2013
Page 4

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Monet L. Lea, our Development Review Area Engineer for this project, at monet.lea@montgomerycountymd.gov or (240) 777-2197.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

M:\correspondence\FY14\Traffic\Active\11994080A, 7340 Wisconsin, MCDOT plan review comments ltr. doc

Enclosure

cc: Neil Goradia; Bainbridge Wisconsin Avenue Apartments, LLC
Bob Dalrymple; Linowes & Blocher, LLP
Heather Dlhopsky; Linowes & Blocher, LLP
William Landfair; VIKA Maryland, LLC
Jeff Amateau; VIKA Maryland, LLC
Anabel Farrales; Shalon Barnes Associates
Trini Rodriguez; Parker Rodriguez
Robert Kronenberg; M-NCPPC Area 1
Matthew Folden; M-NCPPC Area 1
Catherine Conlon; M-NCPPC DARC
Scott Newill; MSHA AMD
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Atiq Panjshiri; MCDPS RWPR
Sam Farhadi; MCDPS RWPR
Patricia Shepherd; MCDOT DTE
Brett Linkletter; MCDOT DHS
Sande Brecher; MCDOT DTS
Dan Sanayi; MCDOT DTEO
Bruce Mangum; MCDOT DTEO
Monet L. Lea; MCDOT DTEO



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

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: 7340 Wisconsin Ave Preliminary Plan Number: 1- 1994080A

Street Name: Montgomery Lane Master Plan Road Classification: Business

Posted Speed Limit: None

Street/Driveway #1 (Garage Entrance) Street/Driveway #2 (Loading Entrance)

Sight Distance (feet) OK?
Right N/A
Left 523' ✓ *

Sight Distance (feet) OK?
Right N/A
Left 497' ✓ *

Comments: Intersection of Montgomery lane
and Arlington road is approximately 523' from
sight distance measuring point.

Comments: Intersection of Montgomery Lane
and Arlington road is approximately 497' from
sight distance measuring point.

* MONTGOMERY LANE IS ONE-WAY (EASTBOUND) @ THIS SITE. gml

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance 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'	

*Source: AASHTO

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)

ENGINEER/ SURVEYOR CERTIFICATE

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

[Signature]

Signature

25786

PLS/P.E. MD Reg. No.



Montgomery County Review:

☒ Approved

☐ Disapproved:

By: [Signature]

Date: 11/8/13



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

June 13, 2014

Arthur Holmes, Jr.
Director

Mr. Neil Braunstein, 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. 11994080B
7340 Wisconsin Avenue

Dear Mr. ^{Neil:} Braunstein:

We have completed our review of the amended preliminary plan dated March 28, 2014. This plan was jointly reviewed with Project Plan No. 92014001A by the Development Review Committee at its meeting on May 27, 2014. This letter also provides MCDOT's conditional approval recommendations for Project Plan No. 92014001A. We recommend approval of the project subject to the comments made in our previous letter dated November 8, 2013 and the following comment:

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. Remove our previous Comment No. 3 from the November 8, 2013 letter which requires the applicant to construct a new curb opening inlet on the south side of Montgomery Lane. The proposed building will have an internal roof drain system that conveys the run-off to an underground storm drain pipe. Therefore, the inlet is not required as all the run-off connects to the existing storm drain from within the proposed storm drain pipe.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Monet L. Lea, our Development Review Area Engineer for this project, at monet.lea@montgomerycountymd.gov or (240) 777-2197.

Sincerely,

Gregory M. Leck, Manager
Development Review Team

Division of Traffic Engineering and Operations

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trafficops@montgomerycountymd.gov

Neil Braunstein
Preliminary Plan No. 11994080B
June 13, 2014
Page 2

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cc: Neil Goradia; Bainbridge Wisconsin Avenue Apartments, LLC
Bob Dalrymple; Linowes & Blocher, LLP
Heather Dlhopsky; Linowes & Blocher, LLP
William Landfair; VIKA Maryland, LLC
Jeff Amateau; VIKA Maryland, LLC
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Robert Kronenberg; M-NCPPC Area 1
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Patricia Shepherd; MCDOT DTE
Brett Linkletter; MCDOT DHS
Sande Brecher; MCDOT DTS
Dan Sanayi; MCDOT DTEO
Bruce Mangum; MCDOT DTEO
Monet L. Lea; MCDOT DTEO



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

November 13, 2013

Shannon Woodrow
Vika Maryland, LLC
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request
for 7340 Wisconsin Avenue
Preliminary Plan #: 11994080A
SM File #: 255133
Tract Size/Zone: 0.43 Ac./CBD-2
Total Concept Area: 0.56 Ac.
Lots/Block: 8/24C
Watershed: Little Falls Branch

Dear Ms. Woodrow:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via ESDv to the MEP with the use of green roof and a micro-bioretenention planter box. The remaining volume will be treated in a structural proprietary filter.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.
5. Must provide easements and covenants for all stormwater management treatment including flow splitters.
6. At time of plan submittal provide a soils remediation report if there is contaminated soil.
7. For design of the green roof use a professional that has green roof experience.
8. Need to coordinate the removal of the existing stormwater management structure with MCDEP.

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY
www.montgomerycountymd.gov

9. Provide a copy of the mechanical plans showing roof drains and garage drains schematics. The roof drains need to go to stormwater structures and the garage drains need to drain to WSSC.
10. The structural filter must be flow split.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: me CN255133 7340 Wisconsin Ave.DWK

cc: C. Conlon
SM File # 255133

ESD Acres:	0.56
STRUCTURAL Acres:	0.56
WAIVED Acres:	0.00



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

Richard Y. Nelson, Jr.
Director

July 3, 2014

Mr. Neil Braunstein
Area 1 Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: 7340 Wisconsin Avenue
Project Plan Amendment No. 92014001A
Preliminary Plan Amendment No. 11994080B
Site Plan No. 820140120

Dear Mr. Braunstein:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced Project Plan and Preliminary Plan Amendments and Site Plan. DHCA recommends Approval of the plans with the following condition:

- At certified site plan, provide final MPDU locations, bedroom compositions and layouts to DHCA for review and approval.

Sincerely,

Lisa S. Schwartz
Senior Planning Specialist

cc: Heather Dlhopsky, Linowes and Blocher LLP
William Landfair, VIKa Maryland LLC

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Division of Housing

Moderately Priced
Dwelling Unit
FAX 240-777-3709

Housing Development
& Loan Programs
FAX 240-777-3691

Landlord-Tenant Affairs
FAX 240-777-3691

Licensing & Registration Unit
240-777-3666
FAX 240-777-3699

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