



**Artery Plaza: Sketch Plan 320150050, Preliminary Plan Amendment 11983015A, and Site Plan Amendment 81984002B**

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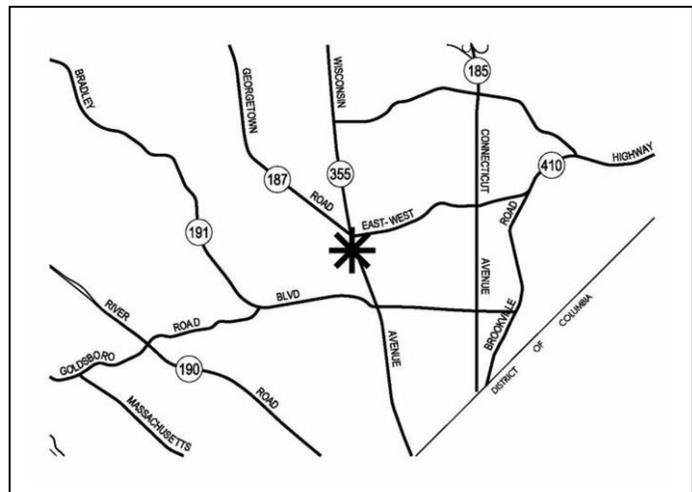
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**Description**

Staff Report Date: 04/29/2016

- One lot for up to 543,170 square feet of office uses and up to 43,441 square feet of retail, restaurant, or service uses in two existing buildings and one new building;
- Located in the northwest quadrant of the intersection of Wisconsin Avenue and Bethesda Avenue;
- Zone: CR-5.0 C-5.0 R-5.0 H-145;
- Master Plan: *Bethesda Purple Line Station Minor Master Plan Amendment and Bethesda CBD Sector Plan*;
- Property Size: 3.02 gross acres;
- Application accepted October 21, 2015;
- Applicant: JBG;
- Review Basis: Chapter 50 and Chapter 59,



**Summary**

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

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## SECTION 1: EXECUTIVE SUMMARY

### **Sketch Plan No. 320150050**

The sketch plan will supersede the approved Project Plan 919810090 and establish the density of the subject property up to 543,170 square feet of office use and up to 43,441 square feet of retail, restaurant, or service uses. The total floor area requested is 586,611, to be contained in two existing buildings and one proposed building, which will replace an existing office building. The maximum height of the tallest building will be 145 feet. The sketch plan meets all of the general requirements and development standards of Section 4.5. The optional method public benefits provision of Division 4.7, and the general development standards of Article 59-6 of the Zoning Ordinance. Staff recommends approval of the sketch plan with conditions.

### **Preliminary Plan Amendment No. 11983015A**

The preliminary plan amendment will create one lot for the uses described above. This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the recommendations of the Sector Plan and Minor Master Plan Amendment. Staff recommends approval with conditions.

### **Site Plan No. Amendment No. 81984002B**

The site plan is for 543,170 square feet of office use and 43,441 square feet of retail, restaurant, or service uses. The total floor area requested is 586,611, to be contained in two existing buildings and one proposed building, which will replace an existing office building. The maximum height of the tallest building will be 145 feet. The site plan meets all of the general requirements and development standards of Section 4.5 of the Zoning Ordinance, the optional method public benefits provisions of Division 4.7 of the Zoning Ordinance, and the general development requirements of Article 59-6 of the Zoning Ordinance. Staff recommends approval with conditions.

## SECTION 2: RECOMMENDATION AND CONDITIONS

### **Sketch Plan No. 320150050**

Staff recommends approval of Sketch Plan No. 320150050, Artery Plaza, for a maximum total density of 586,611 square feet of development on the Subject Property, subject to the following binding elements and conditions. All conditions imposed by the approval of Project Plan No. 919810090, as amended, are superseded by the conditions contained herein.

#### Binding Elements

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements of the Sketch Plan are illustrative.

## Recommended Conditions of Approval

1. Density

The development is limited to a maximum of 586,611 square feet of total development, including up to 543,170 square feet of office uses and up to 43,441 square feet of nonresidential (retail, restaurant, or service) uses.

2. Height

The development is limited to the maximum height of 145 feet, as measured from the approved building height measuring point in compliance with Section 4.1.7.C.2.

3. Public Amenity Space

The Applicant must operate the art gallery in the lobby of 7200 Wisconsin Avenue for public viewing on weekdays from 8:00 a.m. to 6:00 p.m., holidays excepted. Future changes to the hours of operation may be approved by the Planning Director or his or her designee.

4. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59-4.5.4.2.a. The requirements of Division 59-4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit proposed. Final points will be established at site plan approval.

- a. Major Public Facilities, achieved through provision of the Applicant's share of the cost of the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue;
- b. Transit Proximity, achieved through proximity to a Metrorail station;
- c. Connectivity and Mobility, achieved through provision of fewer than the maximum parking spaces;
- d. Quality of Building and Site Design, achieved through ground floor transparency, exceptional design, and structured parking; and
- e. Protection and Enhancement of the Natural Environment, achieved through purchase of building lot terminations, vegetated roof, and vegetated wall.

## **Preliminary Plan Amendment No. 11983015A**

Staff recommends approval of Preliminary Plan No. 11983015A, Artery Plaza, for one lot for a maximum total density of 586,611 square feet of development on the Subject Property, subject to the following conditions. All conditions imposed by the approval of Preliminary Plan No. 119830150 are superseded by the conditions contained herein.

1. Approval is limited to one lot for a maximum density of 586,611 square feet of total development, including up to 543,170 square feet of office uses and up to 43,441 square feet of nonresidential (retail, restaurant, or service) uses.
2. The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320150050.
3. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated January 6, 2016, and hereby incorporates them as conditions of the Preliminary Plan approval. 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.

4. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated February 29, 2016, and hereby incorporates them as conditions of the Preliminary Plan approval. 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 which are associated with each plat, as required by MCDOT.
6. The Applicant must dedicate and show on the record plat(s) the following:
  - a. Fifty-seven feet from the existing right-of-way centerline along the Subject Property frontage for Wisconsin Avenue.
  - b. Right-of-way truncation at the intersection of Wisconsin Avenue and Bethesda Avenue, as shown on the Preliminary Plan.
7. The Applicant must install public bicycle parking for short-term use near the main entrance to the building. The Applicant must install secure private bicycle parking for long-term use, internal to the garage, for tenants’ use. The exact number and location of bicycle parking will be determined at the time of Site Plan approval.
8. 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.
9. The record plat must show necessary easements.
10. No clearing, grading, demolition, or recording of plats prior to certified site plan approval.
11. Final approval of the number and location of buildings, on-site parking, site circulation, and sidewalks will be determined at Site Plan.
12. Include the stormwater management concept approval letter and Preliminary Plan resolution on the approval or cover sheet(s) of the certified Preliminary Plan.
13. The Applicant must construct all road and frontage improvements within the rights-of-way shown on the approved Preliminary Plan to the full width mandated by the master plan and/or to the design standards imposed by all applicable road codes.

14. Prior to the issuance of the first use and occupancy permit, the Applicant must pay \$273,000 to Montgomery County for the Applicant's share of the cost of the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue.
15. Prior to recordation of any plat, Site Plan No. 81984002B must be certified by Staff.
16. Prior to certification of the Preliminary Plan, the Applicant must correct the data table on the Preliminary Plan to show the correct square feet and percentage of public use space proposed under the sketch plan.
17. 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.

### **Site Plan Amendment No. 81984002B**

Staff recommends approval of Site Plan Amendment 81984002B for a total of up to 586,611 square feet of development, including up to 543,170 square feet of office uses and up to 43,441 square feet of nonresidential (retail, restaurant, or service) uses on approximately 3.02 gross acres in the CR-5.0 C-5.0, R-5.0, H-145 zone. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.<sup>1</sup> All conditions imposed by the approval of Site Plan No. 819840020 in the Planning Board Resolution dated September 13, 1984, as amended by Planning Board Resolutions dated September 26, 1986, and August 12, 1992, and as amended by Site Plan Amendment No. 81984002A in Resolution No. 14-87, dated December 10, 2014, are superseded by the conditions contained herein.

1. Sketch Plan Conformance  
The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320150050.
2. Preliminary Plan Conformance  
The Applicant must comply with the conditions of approval for Preliminary Plan Amendment No. 11983015A.

### **Environment**

3. Forest Conservation  
Prior to any clearing, grading, demolition, or the issuance of any building permit for new construction, the Applicant must pay the fee-in-lieu payment for the afforestation requirement of 0.36 acres (or as determined on the FFCP signature set).

### **Public Use Space, Facilities and Amenities**

4. Public Use Space, Facilities, and Amenities
  - a. The Applicant must provide a minimum of 13,235 square feet of public open space (12.7% of net lot area) on-site, as illustrated on the Certified Site Plan.

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<sup>1</sup> For the purposes 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.

- b. The Applicant must construct Bethesda CBD streetscape standard, including but not limited to street trees, street lighting, brick paving, and the undergrounding of utilities, along the Subject Property's frontage, as shown on the Certified Site Plan.
- c. Before the issuance of the final use and occupancy certificate, all public open space areas must be completed.
- d. The Applicant must operate the art gallery in the lobby of 7200 Wisconsin Avenue for public viewing on weekdays from 8:00 a.m. to 6:00 p.m., holidays excepted. Future changes to the hours of operation may be approved by the Planning Director or his or her designee.
- e. The Applicant must provide wall space in the lobby art gallery, free of charge, for the Bethesda Arts and Entertainment District Board to exhibit one piece of art at any one time by a local artist. The Applicant will have final approval over all works of art included in the lobby art gallery. In addition, the Applicant must provide a plaque to be mounted on the wall of the lobby art gallery next to the contributed art piece, stating that the art is provided by the Bethesda Arts and Entertainment District.
- f. The Applicant must install tables, chairs, benches, umbrellas, and planters in the plaza located at the intersection of Wisconsin Avenue and Bethesda Avenue, as shown on the Certified Site Plan.

5. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *CR Zone Incentive Density Implementation Guidelines* for each one.

a. Major Public Facilities

The Applicant must provide the Application's share of the cost of the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue.

b. Transit Proximity

The Subject Property is located within ¼ mile of a Metrorail station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance.

c. Connectivity and Mobility

i. Minimum Parking

The Applicant must not provide more than 959 parking spaces on the Subject Property.

d. Quality Building and Site Design

i. Architectural Elevations

The Applicant must design and construct the ground floors of the building to provide visibility into and out of the ground floor spaces. Entrance doors must be placed substantially as shown on the Certified Site Plan.

ii. Exceptional Design

The Applicant must construct the building in a manner consistent with the architectural elevations included in the Certified Site Plan.

iii. Structured Parking

The Applicant must provide 564 parking spaces within above-grade structures and 395 parking spaces within below grade structures on the Subject Property.

e. Protection and Enhancement of the Natural Environment

i. Building Lot Termination ("BLT")

The Applicant must purchase BLT easements in an amount equal to 7.5% of the incentive density floor area. One BLT must be purchased for each 31,500 square feet of gross floor area. The Applicant must purchase 0.28 BLTs.

- ii. **Vegetated Roof**  
The Applicant must install a vegetated roof with a soil depth of a minimum of 4 inches covering a minimum of 60% of the buildings' roofs, excluding space for mechanical equipment.
- iii. **Vegetated Wall**  
The Applicant must install a vegetated wall on the exterior wall of the existing above-grade parking garage in the existing office building at 7200 Wisconsin Avenue, covering an area of approximately 1,500 square feet, as illustrated on the Certified Site Plan.

6. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, pedestrian pathways, landscaping, hardscape, and public open space and appurtenances.

**Transportation & Circulation**

7. Pedestrian & Bicycle Circulation

- a. The Applicant must provide 112 bicycle parking spaces for long-term private use and four bicycle parking spaces for short-term public use.
- b. The private spaces must be on-site in a secured, well-lit bicycle room within the garage, and the public spaces must be inverted-U racks installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the public and private bicycle parking must be identified on the Certified Site Plan.

8. Traffic Mitigation

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.

**Site Plan**

9. Building Height

The development is limited to the maximum height of 145 feet, as measured from the approved building height measuring point.

10. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the latest approved architectural drawings included in the Certified Site Plan, as determined by Staff.

11. Landscaping

- a. Before issuance of the final residential use and occupancy certificate or similar final inspection for this Site Plan, all on-site amenities including, but not limited to, streetlights, sidewalks/pedestrian pathways, streetscape and related improvements, hardscape, benches, trash receptacles, bicycle facilities, and public open space amenities must be installed.
- b. The Applicant must install the landscaping no later than the next growing season after completion of construction and site work.

## 12. Lighting

- a. Before approval of the Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the Illuminating Engineering Society of North America (IESNA) recommendations in effect on the date of this resolution for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations in effect on the date of this resolution.
- b. Deflectors must be installed on all up-lighting fixtures to prevent excess illumination and glare.
- c. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

## 13. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit or sediment and erosion control permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.k.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount;
- b. The cost estimate must include applicable Site Plan elements including, but not limited to, plant materials, on-site lighting, and exterior site furniture, retaining walls, railings, curbs, gutters, sidewalks and associated improvements; and
- c. The bond or surety must be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety will be followed by inspection and release of the surety.

## 14. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

## 15. Certified Site Plan

Before 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 final forest conservation approval letter, stormwater management concept approval letter, development program, and Sketch Plan resolution, Preliminary Plan resolution and Site Plan resolution on the approval or cover sheet(s).
- b. Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- c. Modify data table to reflect development standards approved by the Planning Board. The data table must reflect all of the existing and approved development on the entire Subject Property.
- d. Ensure consistency of all details and layout between Site and Landscape plans.
- e. Modify the landscaping plan to show the inclusion of three umbrellas in the plaza.
- f. Show on the Site Plan a building height measuring location for the approved building that is in accordance with Section 59.4.1.7.C.2 of the Zoning Ordinance.
- g. Show the location of the vegetated wall on applicable site plan and landscape plan sheets. Include the plants for the vegetated wall in the plant list.

## SECTION 3: SITE DESCRIPTION

### Site Vicinity

The subject property is located on the north side of Bethesda Avenue running nearly the full block between Woodmont Avenue and Wisconsin Avenue. Adjacent and confronting uses include office, retail, and multi-family buildings and a public parking garage. The Bethesda Row retail area is nearby, to the west. The site is in the vicinity of the Bethesda Metro Station and a proposed southern entrance to the Metro as well as the terminus of the proposed Purple Line. Elm Street Park is also within a few blocks of the subject property.

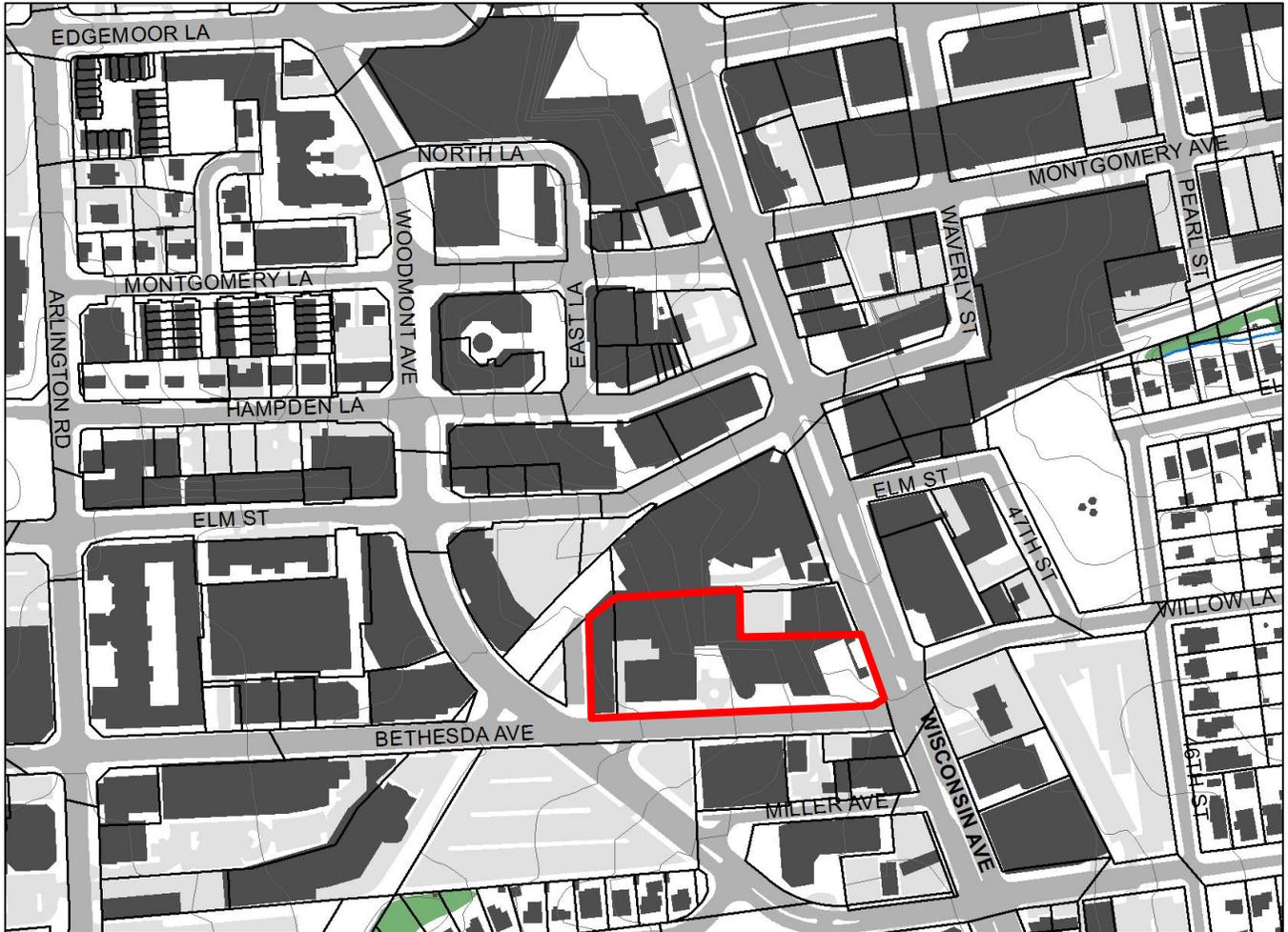


Figure 1-Vicinity Map

### Site Analysis

The subject property consists of one platted parcel and one platted lot. The subject property is developed with an existing 12-story office building, known as the Artery Building, which will remain on-site. A smaller, eight-story, existing office and retail building will be demolished to accommodate the proposed development. A standard method, two-story retail building under construction will also remain onsite. The subject property contains no forest, and there are no streams or wetlands onsite. The site is located within the Little Falls watershed.

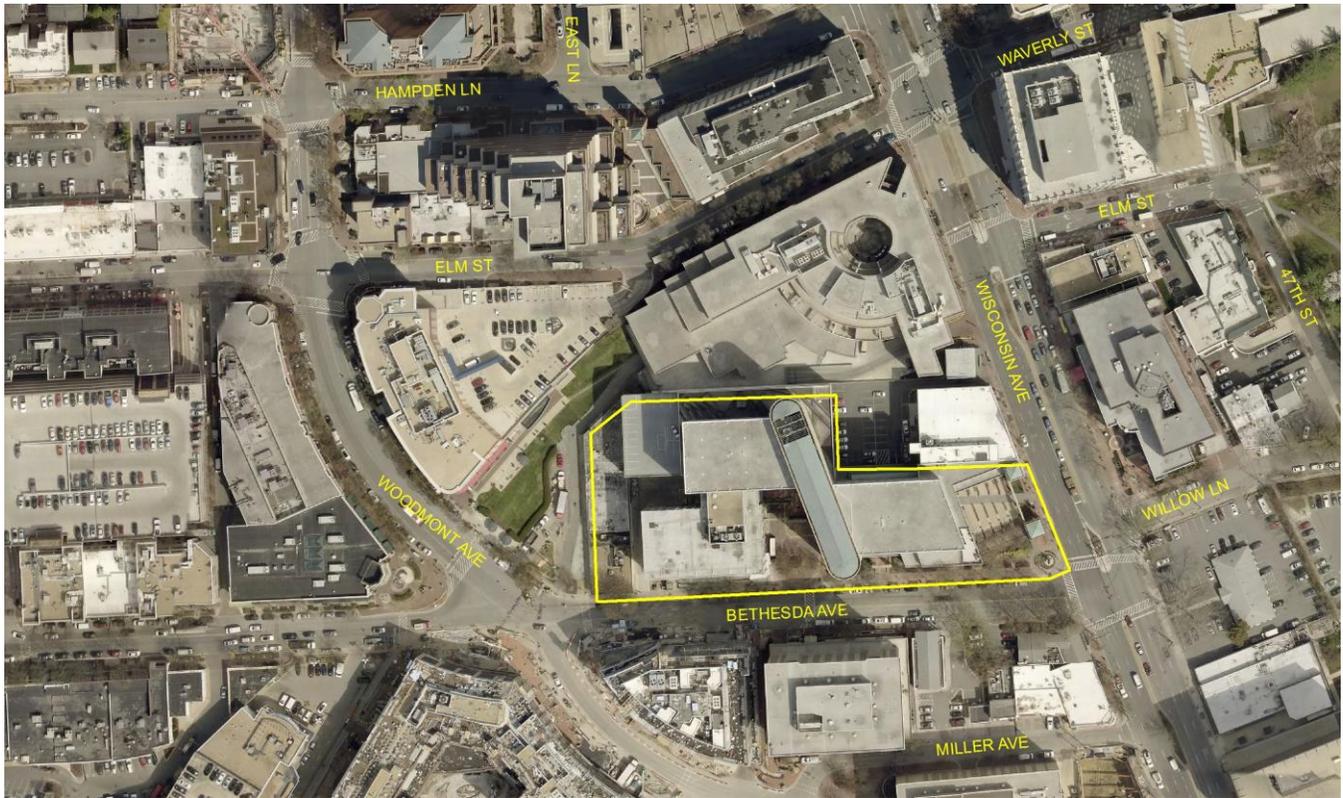


Figure 2-Aerial View

## SECTION 4: PROJECT DESCRIPTION

### Previous Approvals

On May 5, 1983, the Planning Board approved Project Plan 919810090 for a 4.0 FAR mixed use building on the subject property.

On August 4, 1983, the Planning Board approved Preliminary Plan 119830150 for 366,854 square feet of office uses and 26,796 square feet of retail uses.

On July 11, 1984, the Planning Board approved Site Plan 819840020 for 366,854 square feet of office uses and 26,796 square feet of retail uses. This plan was subsequently amended in 1986, 1988, and 1992. These amendments were for minor changes to the project and an additional 1,008 square feet of retail use, and were not given separate application numbers.

In 2012, the applicant and Street Retail, Inc., the owners of the Woodmont East development to the west of the subject property, collaborated on a combined application including both of the sites, called Woodmont/7200. For this expanded site, on April 12, 2012, the Planning Board approved Project Plan Amendment 92007007B, Preliminary Plan Amendment 12007020B, and Site Plan Amendment 82009008A for 210 multi-family units, 182,950 square feet of hotel use, 81,165 square feet of retail use, and 755,739 square feet of office use. The expanded property for these applications was 5.8 acres, including the entirety of the current subject property.

In a letter dated March 6, 2014, the co-applicants stated their intent to vacate the entitlements approved in the Woodmont/7200 applications (Attachment C). Planning Department staff has accepted the letter, with the effect that the subject property is now controlled only by the approved Project Plan 919810090, Preliminary Plan 119830150, and Site Plan 819840020, and the Woodmont/7200 approvals and applications are no longer valid. Therefore, the applicant does not need to amend the vacated Woodmont/7200 plans to construct the office building that is now proposed. Rather, the proposed applications supersede the earlier Woodmont/7200 approvals in their entirety.

On December 4, 2014, The Planning Board approved Project Plan Amendment 91981009A and Site Plan Amendment 81984002A, for minor modifications to the indoor public amenity space (an art gallery), outdoor public use space, and exterior architecture. (See Attachment B for resolutions for previous approvals.)

**Proposal**  
**Subdivision**

The preliminary plan amendment will combine the existing lot and existing parcel into one new 104,500-square-foot lot to allow for a maximum density of 586,611 square feet of total development, including up to 543,170 square feet of office uses and up to 43,441 square feet of nonresidential (retail, restaurant, or service) uses. The preliminary plan amendment will also dedicate 951 square feet for the right-of-way of Wisconsin Avenue.

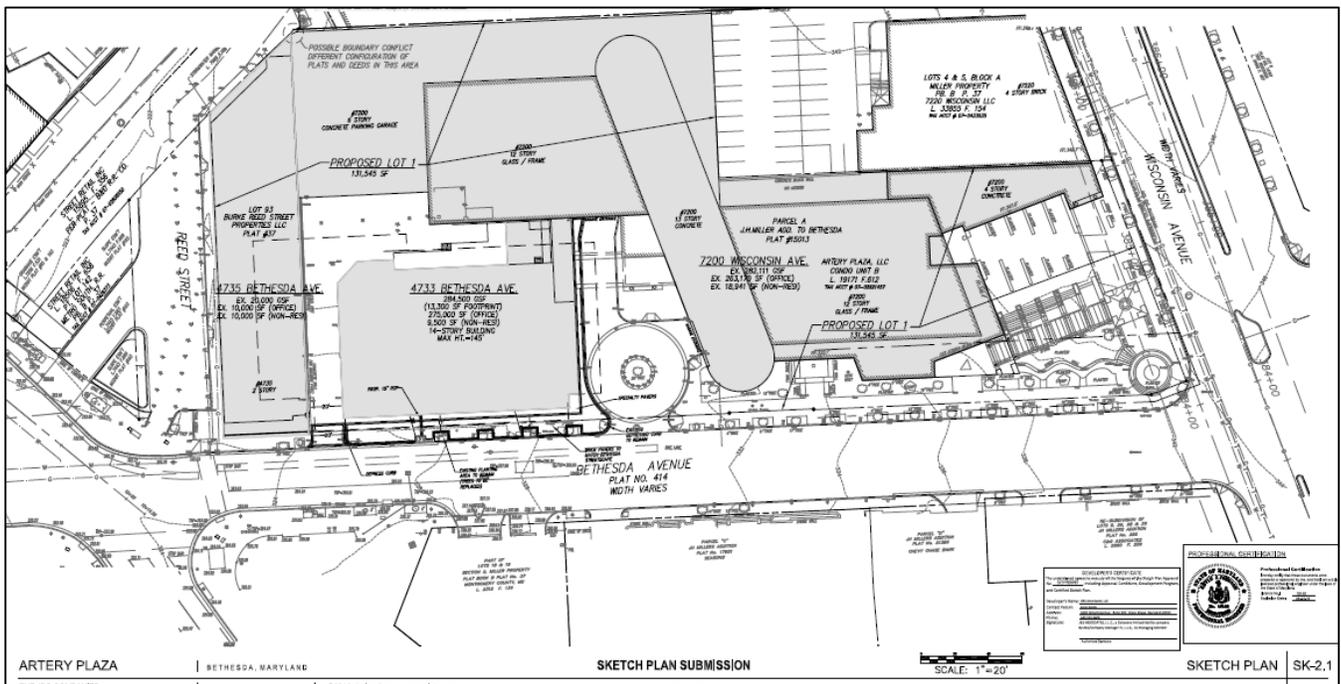


Figure 3-Sketch Plan

**Buildings**

The Plan includes one new building, located near the western end of the block. The new building will replace the existing eight-story, 92,617-square-foot office building at 4733 Bethesda Avenue. The new building will be 14 stories tall and will contain 275,000 square feet of office uses and 9,500 square feet of retail or restaurant uses. Two other existing buildings, a recently expanded, standard method, two-story retail building currently under construction at the intersection of Woodmont Avenue and Bethesda Avenue and the 12-story, 282,111 square-foot office and retail building at the intersection of Wisconsin Avenue and Bethesda Avenue, will remain on the site and will not be modified by the current applications. However, a portion of the proposed building will be built above, and will be supported by, the existing two story retail building.



Figure 4-Illustrative Elevation Rendering

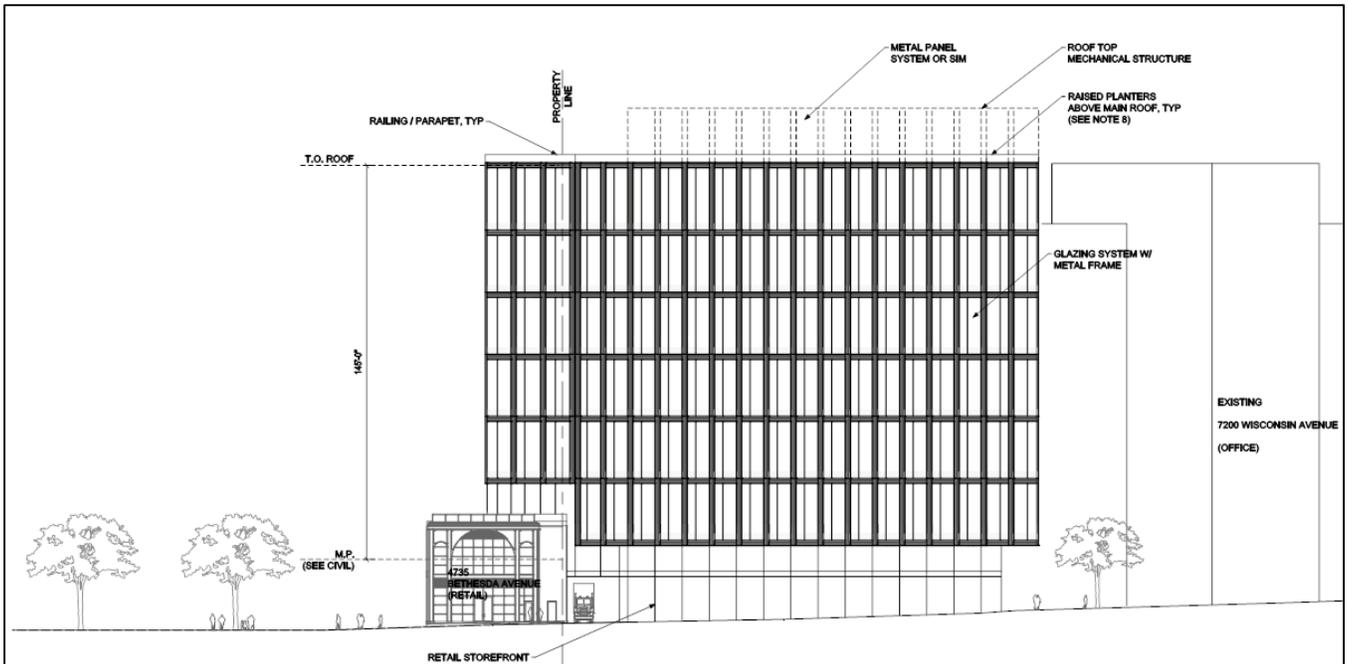


Figure 5-South Elevation

## Open Space & Amenities

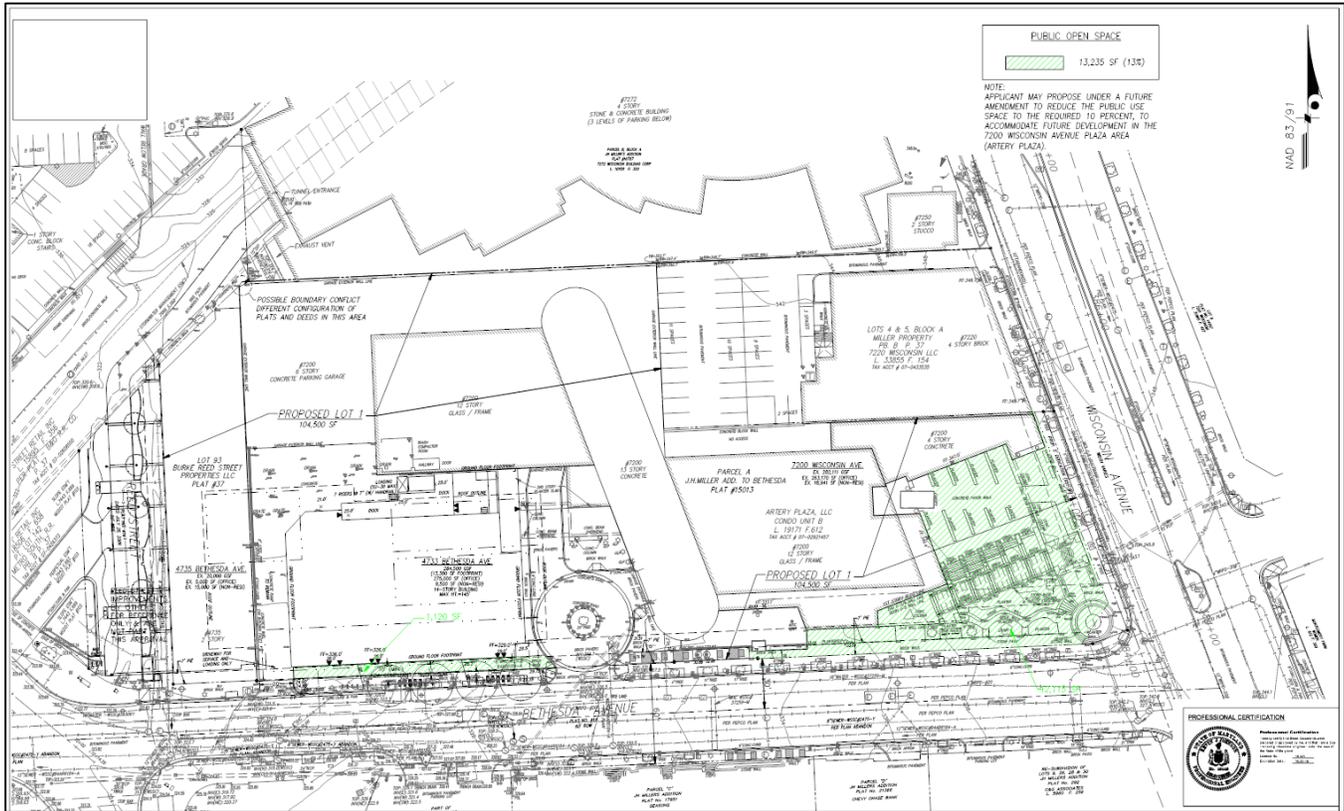


Figure 7-Open Space Plan

The proposed public open space consists of the existing Artery Plaza at the intersection of Wisconsin and Bethesda Avenues, as well as sidewalks along the Bethesda Avenue frontage of the proposed building and the existing 7200 Wisconsin Avenue office building. The project will provide 13,235 square feet of public open space on-site (or 13% of the net lot area).

The project will provide streetscape improvements along Bethesda Avenue, including standard Bethesda streetscape paving, tree pits, and streetlights, as well as café seating. The appearance and furnishings of Artery Plaza will be improved with colorful bistro tables and chairs, umbrellas, benches, planters, and new landscaping. In addition, the art gallery space in the lobby of the existing 7200 Wisconsin office building will continue to serve as a public amenity.

Although not counted towards public open space, the applicant is also in the process of creating a public open space in the adjacent unused right-of-way for Reed Street. While this improvement is being pursued separately from the subject applications (or any application) its timing and proximity to the subject property will result in it being an integral component of the redevelopment of 4733 Bethesda Avenue. In addition to provide open space, the Reed Street park will provide an improved pedestrian and bicycle connection to the Capital Crescent Trail tunnel under Wisconsin Avenue and, eventually, to the Purple Line station.

## Circulation

Vehicular access is provided via two existing driveways from Bethesda Avenue. The Eastern driveway leads to two existing parking garage entrances and the western driveway leads to existing loading areas. The proposed applications will not alter the existing vehicular access. Pedestrian access is provided via numerous existing and

proposed doors from the sidewalk on Bethesda Avenue and from Artery Plaza at the intersection of Wisconsin Avenue and Bethesda Avenue.

Phasing

The project will be implemented in one phase.

**Community Outreach**

The applicant has complied with all submittal and noticing requirements. As of the date of this staff report, staff has not received any correspondence regarding the applications.

**SECTION 5: SKETCH PLAN ANALYSIS AND FINDINGS**

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF, or LSC Zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on: building densities; massing; heights and anticipated uses; the locations of open and public use spaces; the general circulation patterns for all modes of transportation; an estimated range of peak hour trips; and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review.

Section 59-7.3.3.E of the Zoning Ordinance states: "To approve a sketch plan, the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The sketch plan must:"

1. *meet the objectives, general requirements, and standards of this Chapter;*

As conditioned, the sketch plan meets the development standards of Section 59-4.5.4, as shown in Table 1, Sketch Plan Project Data Table.

<b>Table 1-Sketch Plan Project Data Table</b>			
<b>Section</b>	<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Proposed</b>
<b>59 – 4</b>	<b>Gross Tract Area (sf)</b>	n/a	131,545
<b>4.5.4.B.2.b</b>	<b>Density</b> CR-5.0, C-5.0, R-5.0, H-145  Commercial FAR/GFA Residential FAR/GFA <b>TOTAL FAR/GFA</b>	  5.0/657,725 5.0/657,725 5.0/657,725	  4.46/586,611 0/0 4.46/586,611
<b>4.5.4.B.2.b</b>	<b>Building Height (feet)</b> C-R5.0, C-5.0, R-5.0, H-145	145	145
<b>4.5.4.B.3</b>	<b>Minimum Setback (feet)</b> From R.O.W.	0	0
<b>4.5.4.B.1</b>	<b>Open Space</b> Public Open Space (%/sq. ft.)	10/10,450	12.7/13,235
<b>6.2</b>	<b>Parking (spaces)</b> Non-residential uses	959-1,928	959

The intent of the CR zone is to:

- a) *Implement the recommendations of applicable master plans.*

As discussed in Finding 2 below, the project substantially conforms to the recommendations of the *Bethesda CBD Sector Plan* and the *Bethesda Purple Line Station Minor Master Plan Amendment*. The project responds to the Sector Plan's main goals, including providing employment opportunities in close proximity to transit, infill development that contributes to the vibrancy and success of downtown Bethesda, and contribution to the cost to construct the on-street alignment of the Capital Crescent Trail, as recommended in the Minor Master Plan Amendment.

- b) *Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

The existing office building at 4733 Bethesda Avenue, which has one ground-floor retail space, was constructed in 1965, before the current Sector Plan was adopted. The redeveloped office building will provide expanded, more prominent ground-floor retail uses, thereby providing a mix of uses.

- c) *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The project provides additional employment opportunities and commercial services in close proximity to transit, to meet the needs of workers and residents of the CBD. The additional office space will complement and support the existing businesses in the surrounding area. The location of the proposed office building, within 1,000 feet of the Bethesda Metrorail station, will encourage utilization of transit for work trips. Additionally, the ground floor retail space provides opportunities for various businesses to operate within the Metro Core area of the CBD, as defined in the Sector

Plan. The streetscape improvements will enhance the pedestrian connection between existing retail and office uses along Wisconsin Avenue and Bethesda Row.

No parking will be provided between the buildings and the street.

- d) *Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The project will provide new office and retail uses close to transit, complementing the surrounding residential and commercial uses. The surrounding properties are largely developed with high-density, high-rise buildings. As such, the proposed 14-story office building will complement the 12-story office building proposed to remain on the subject property and will fit into the existing character of the area.

- e) *Integrate an appropriate balance of employment and housing opportunities.*

Although the project does not include any residential development, it will provide a desirable mix of uses that will support the surrounding development. The vast majority of recent development in Bethesda has been residential, including the development closest to the subject property. The proposed office development will provide additional opportunities for those who live in the CBD to work in close proximity to their residences.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

As discussed in finding 6.g below, the project will provide the required public benefits from a minimum of five categories to achieve the desired incentive density above the standard method limit.

The sketch plan meets the general requirements of the Chapter 59 as follows:

- i. *Section 4.1.7.C.2 Building Height Measurement*

Under Section 4.1.7.C.2, the building height of each street-fronting building must be measured from the approved curb grade opposite the middle of the front of each building. The site plan shows a building height measurement location on Wisconsin Avenue, in a location removed from the front of the proposed building. Condition No. 3 requires the building to be measured in compliance with Section 4.1.7.C.2.

- ii. *Division 6.1. Site Access*

The existing driveways provide well-integrated access from Bethesda Avenue to the subject property, and they will continue to do so for the proposed building also.

- iii. *Division 6.2. Parking, Queuing, and Loading*

The project's proposed office building and the existing office building will share a parking garage and loading spaces for adequate off-street parking and loading.

iv. *Division 6.3. Open Space and Recreation*

The project has a 10 percent public open space requirement, which yields a requirement of 10,450 square feet of open space. The project proposes to provide 13,235 square feet of public open space (12.7% of the net lot area). A portion of the public open space will be provided in the previously approved, and now existing, Artery Plaza at the intersection of Wisconsin Avenue and Bethesda Avenue. This plaza will be improved with new landscaping, benches, tables, chairs, umbrellas, and a colorful fabric shade for the existing trellis.

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

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by office employees, business owners, and visitors. The application will transform existing streetscape along the frontage on Bethesda Avenue with new street trees, improved sidewalk, and street lighting.

2. *substantially conform with the recommendations of the applicable master plan;*

The subject property is within the boundaries of the *Bethesda CBD Sector Plan* and *Bethesda Purple Line Station Minor Master Plan Amendment*. The subject property is in the Metro Core District of the Sector Plan. A goal of the Sector Plan is to provide additional employment opportunities in the Bethesda CBD. Given its close proximity to the Bethesda Metrorail station, the Sector Plan recommends the highest densities and largest concentration of employment-generating uses in the Metro Core District. The Future Land Use Map (Figure 4.5) of the Sector Plan recommends medium to high intensity office use for the block containing the subject property.

The project will facilitate the redevelopment of an existing, underutilized building in the Metro Core District and will provide additional employment opportunities within walking distance of the Metrorail station and other transit services, including the future Purple Line. The proposed ground-floor retail and restaurant uses will help to activate Bethesda Avenue, consistent with the goals of the Sector Plan. In addition, the applicant will contribute to the cost to construct the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue, as recommended in the Minor Master Plan Amendment.

3. *satisfy any development plan or schematic development plan in effect on October 29, 2014;*

The Sketch Plan is not subject to a development plan or schematic development plan.

4. *achieve compatible internal and external relationships between existing and pending nearby development;*

The Project has been designed to ensure that it is physically compatible with, and not detrimental to, existing and future development surrounding the subject property. The proposed building has been designed at an appropriate scale for the surrounding area. The Metro Core District of the Sector Plan, where the subject property is located, is slated for the highest densities and most intensive employment uses in the Sector Plan area. The building is proposed to be 14 stories tall, in an area that contains numerous other high-rise buildings. The building will be built up to the sidewalk with entrance doors that open onto it, in conformance with Sector Plan goals.

5. *provide satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

The project will significantly improve the pedestrian and bicyclist access and circulation within the CBD. Streetscape improvements along the subject property's frontage on Bethesda Avenue will provide for a safer and more efficient pedestrian environment. In addition, the applicant will contribute to the project's share of the cost of the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue.

The project will also maintain satisfactory vehicular circulation by not adding curb cuts along Bethesda Avenue. Adequate parking will be provided on-site to accommodate all users of the property, and access to parking and loading is located to minimize pedestrian-vehicular conflicts.

6. *propose an outline of public benefits that supports the requested incentive density and is appropriate for the specific community;*

The application includes public benefits that address the general incentive and density considerations required by Section 59-4.7.1.B. The public benefits:

- a. Take into consideration "the recommendations of the applicable master plan" by providing a project that is transit-oriented, includes commercial and residential development, includes civic gathering spaces, includes environmental enhancements, and is pedestrian friendly;
- b. Meet the *2012 Commercial/Residential Zones Incentive Density Implementation Guidelines (CR Guidelines)* by providing the proper calculations and criteria for each public benefit;
- c. Meet "any design guidelines adopted for the applicable master plan area" by providing an attractive pedestrian environment with short blocks and defined streets with building edges, public open space, and safe pedestrian-friendly connections;
- d. Are appropriate for "the size and configuration of the site" by improving the existing configuration of surface parking lots and replacing them with structured parking to allow for public use and public open spaces close to transit;
- e. Adequately address "the relationship of the site to adjacent properties" by designing the buildings at an appropriate scale for the surroundings with heights and areas of open space that complement the existing character of the area;
- f. Consider "the presence or lack of similar public benefits nearby" through the provision of affordable housing, environmental benefits, public open space, and pedestrian connections, all of which are currently needed in this area; and
- g. Provide "enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit" which will be developed and assessed during preliminary plan and site plan reviews.

For the proposed development, the zoning code requires 100 points in four categories. Although, at time of Sketch Plan, only the categories need be approved, Table 2 shows both the categories and points for the public benefits recommended at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient benefit points.

**Table 2- Sketch Plan Public Benefits Calculations**

Public Benefit	Incentive Density Points		
	Total Points Possible	Requested	Recommended
<b>4.7.3.A: Major Public Facilities</b>	<b>70</b>	<b>7.6</b>	<b>7.6</b>
<b>4.7.3.B: Transit Proximity</b>	<b>50</b>	<b>40</b>	<b>40</b>
<b>4.7.3.C: Connectivity and Mobility</b>			
<b>Minimum Parking</b>	<b>10</b>	<b>10</b>	<b>10</b>
<b>4.7.3.E: Quality of Building and Site Design</b>			
<b>Architectural Elevations</b>	<b>20</b>	<b>20</b>	<b>20</b>
<b>Exceptional Design</b>	<b>10</b>	<b>7.5</b>	<b>7.5</b>
<b>Structured Parking</b>	<b>20</b>	<b>14.1</b>	<b>14.1</b>
<b>4.7.3.F: Protection and Enhancement of the Natural Environment</b>			
<b>Building Lot Termination (BLT)</b>	<b>30</b>	<b>2.5</b>	<b>2.5</b>
<b>Vegetated Wall</b>	<b>10</b>	<b>5</b>	<b>5</b>
<b>Vegetated Roof</b>	<b>15</b>	<b>10</b>	<b>10</b>
<b>TOTAL</b>	<b>100 (Minimum Required)</b>	<b>116.7</b>	<b>116.7</b>

Major Public Facilities

In accordance with the Minor Master Plan Amendment, the project will contribute its share of the cost of the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue.

Transit Proximity

The subject property is located within ¼ mile of the entrance to the Bethesda Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. Staff recommends the full 40 points as provided in the Zoning Ordinance for CR-zoned properties that are within ¼ mile of a Metrorail station.

Connectivity and Mobility

*Minimum Parking:* The application proposes fewer than the maximum number of allowed parking spaces. The maximum number of allowed spaces is 1,928, but the application will provide 959 spaces.

Quality of Building and Site Design

*Architectural Elevations:* The building is designed to provide ground-floor transparency. The ground-floor façade is primarily glass, readily allowing views into and out of the building. The building will have at least three public entry doors on Bethesda Avenue serving the retail spaces and the office lobby. The certified site plan will document these and other design elements and substantial conformance with the building design will be required of the applicant. The full 20 points are recommended because the project is located in an area where architectural elevations are a priority of the applicable master plan.

*Exceptional Design:* Incentive density of up to five points is appropriate for development that meets at least four of the following criteria, and ten points for development that meets all of them:

- Provides innovative solutions in response to the immediate context

- Creates a sense of place and serves as a landmark
- Enhances the public realm in a distinct and original manner
- Introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way
- Uses design solutions to make compact infill development living, working, and shopping environments more pleasurable and desirable on a problematic site
- Integrates low-impact development methods into the overall design of the site and buildings, beyond green building or site requirements.

The proposed building design is a unique response to the urban and architectural setting of the subject property. The design focuses on achieving a richly articulated massing, broken down into a series of different volumes that reduce the perceived scale of the overall building from the public realm through the use of setbacks and a cantilevered section above the adjacent two-story retail building. This sculptural treatment of an infill site accentuates the importance of the corner of Woodmont and Bethesda Avenues, creating an iconic building that defines the site while acting as a transition between the taller buildings towards the north and east and the lower ones towards the south and west.

The expression of multiple volumes is highlighted by the use of two different architectural envelopes for the upper volumes and a unique retail storefront design for the building base. The building will rely on quality materials and innovative façade systems, like curtain wall and decorative rain screen panel systems, to ensure lasting performance and aesthetic appeal.

A major goal of the project is to create high quality retail space with a generous floor to ceiling height that will appeal to many different businesses. The base will be pedestrian-oriented, with entrances at grade with the sidewalk.

*Structured Parking:* The applicant requests 14.1 points for structured parking consisting of 564 above-grade spaces and 395 below-grade spaces. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade.

#### Protection and Enhancement of the Natural Environment

*Building Lot Termination:* The applicant must purchase BLT easements in an amount equal to 7.5% of the incentive density floor area. One BLT must be purchased for each 31,500 square feet of gross floor area. With these parameters, the applicant must purchase 0.28 BLTs, for 2.5 points.

*Vegetated Roof:* The applicant requests 10 points for providing vegetated roofs with a soil depth of at least 4 inches and covering at least 60% of the total roof excluding space for mechanical equipment.

*Vegetated Wall:* A vegetated wall will be placed on the exterior wall of the existing above-grade parking garage that is part of the existing office building at 7200 Wisconsin Avenue. The vegetated wall will screen the parking garage from the proposed office building. The green screen is located on a blank garage façade. The green screen will cover 30% of the blank wall. The green screen will be comprised of a three-dimensional welded wire trellis system that will be attached to the garage face. Two different species of vine will be planted on the green screen. American wisteria is a deciduous vine with purple blooms that emerge during early summer. Boston Ivy is an evergreen climbing vine.

7. *establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The project will be developed in one phase.

## SECTION 6: PRELIMINARY PLAN ANALYSIS AND FINDINGS

### **Sector Plan Conformance**

As discussed in the Sketch Plan section of this report, the application substantially conforms to the *Bethesda CBD Sector Plan* and the *Bethesda Purple Line Station Minor Master Plan Amendment*. The application complies with the land use recommendations for the site as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan and Minor Master Plan Amendment.

### **Transportation**

Access to the project for all transportation modes is via Bethesda Avenue. Pedestrian and bicycle access to the property will be maintained along the property frontage sidewalks and public roadways, as well as the proposed on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue. Parking will be provided within existing structured parking facilities within and below the 7200 Wisconsin Avenue office building.

#### Access, Parking, and Public Transportation

Vehicular access to the subject property is proposed to be provided via an existing circular driveway located mid-block on Bethesda Avenue. On-site vehicular parking is proposed to be accommodated within the existing structured garage.

Bethesda Avenue is currently improved as a two-lane Business District roadway within a 60 foot-wide public right-of-way and is configured to accommodate a single lane each of eastbound and westbound traffic and two lanes of on-street parking. Wisconsin Avenue (MD 355) is currently improved as a six-lane Major Highway within a variable-width right-of-way that will remain in its current configuration and will be dedicated to its ultimate right-of-way of 114 feet. This right-of-way is consistent with the minimum right-of-way requirements described in both the 1994 *Bethesda CBD Sector Plan* and the 2013 *Countywide Transit Corridors Functional Master Plan*.

Pedestrian and bicycle access to the subject property will be provided along the subject property's Wisconsin Avenue and Bethesda Avenue frontages. As a result of the project, the Interim Surface Route of the Capital Crescent Trail (SP-44) will be accommodated along the site frontage and the applicant will participate in the cost of its future implementation. The applicant has demonstrated that the space necessary for SP-44 will not be precluded by the proposed development; however, the bicycle facility will not be constructed by the applicant due to on-going design coordination by the Montgomery County Department of Transportation (MCDOT). Once design of SP-44 is complete, MCDOT will program the applicant's financial contribution and additional County funds to implement the project.

#### *Transit Connectivity*

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located approximately 0.16 mile, or 850 feet to the north of the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line. Specific transit routes near the site include:

1. RideOn Bus Routes 29, 32, 30, 34, 36, 40, 47, 70
2. WMATA Metrobus Routes J2, J3, J4, J7, and J9

*Sector-Planned Transportation Demand Management*

As a mixed-use project within the Bethesda Transportation Management District (TMD), the development is required to enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Bethesda TMD. The specific criteria requiring a TMAg are as follows: 25 or more employees or more than 100 dwelling units.

*Master Plan Roadways and Pedestrian/Bikeway Facilities*

The following summarizes recommendations included in the 2014 *Bethesda Purple Line Station Minor Master Plan Amendment*, the 1994 *Bethesda CBD Sector Plan*, and the 2005 *Countywide Bikeways Functional Master Plan*:

1. Wisconsin Avenue (MD 355), along the eastern site frontage, as a Major Highway (M-6) with a minimum right-of-way width of 114 feet.
2. Bethesda Avenue, along the southern site frontage, as a Business District Street with a minimum right-of-way width of 60 feet. Bethesda Avenue is recommended to have the interim surface route of the Capital Crescent Trail (SP-44) from Elm Street Park to Woodmont Avenue. SP-44 is recommended as an 11-foot wide two-way cycle track along the north side of Bethesda Avenue.

Adequate Public Facilities

A traffic study, dated December 30, 2014, was submitted for the subject application per the *Local Area Traffic Review/Transportation Policy Area Review (LATR/TPAR) Guidelines* since the proposed 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 proposed development, provided in Table 3, shows that the project will generate 247 net new peak-hour trips during the weekday morning peak period and 248 net new peak-hour trips during the weekday evening peak period.

**TABLE 3  
SUMMARY OF SITE TRIP GENERATION  
PROPOSED ARTERY PLAZA – 4733 BETHESDA AVENUE**

Trip Generation	Morning Peak-Hour			Evening Peak-Hour*		
	In	Out	Total	In	Out	Total
<b>Existing (Credit)</b>						
89,400 SF General Office	(114)	(20)	(134)	(34)	(100)	(134)
11,560 SF General Retail	(4)	(4)	(8)	(15)	(15)	(30)
<b>Total Credit</b>	<b>(118)</b>	<b>(24)</b>	<b>(142)</b>	<b>(49)</b>	<b>(115)</b>	<b>(164)</b>
<b>Proposed</b>						
254,000 SF General Office	324	57	381	95	286	381
12,000 SF General Retail	4	4	8	16	15	31
<b>New Trips</b>	<b>328</b>	<b>61</b>	<b>389</b>	<b>111</b>	<b>301</b>	<b>412</b>
<b>Total Net New Peak Hour Trips</b>	<b>210</b>	<b>37</b>	<b>247</b>	<b>62</b>	<b>186</b>	<b>248</b>

\*Existing PM Peak Hour trips assumed to be 10% of ADT.

Source: Kimley Horn traffic study dated December 2014.

*LATR Review*

A summary of the capacity analysis/Critical Lane Volume (CLV) analysis for the weekday morning and evening peak-hour periods, presented in Table 4, 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.

**TABLE 4  
SUMMARY OF CAPACITY CALCULATIONS  
PROPOSED ARTERY PLAZA – 4733 BETHESDA AVENUE**

Intersection	Traffic Conditions					
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
Wisconsin Ave/ Elm St/ Waverly St	826	970	925	1045	976	1093
Wisconsin Ave/ Elm St	620	713	733	779	734	826
Wisconsin Ave/ Bethesda Ave	768	816	985	1118	1044	1268
Wisconsin Ave/ Woodmont Ave/ Leland St	894	1338	1050	1509	1055	1518
Woodmont Ave/ Bethesda Ave	620	759	928	1116	962	1136

Source: Kimley Horn traffic study dated December 2014.

*TPAR Review*

Since the proposed development is within the Bethesda CBD Policy Area, the application is exempt from both the roadway and transit tests set forth in the 2012-2016 *Subdivision Staging Policy*. As a result, the proposed development is not required to pay the transportation impact tax to satisfy the TPAR requirement.

*Other Public Facilities*

Public facilities and services are available and will be adequate to serve the proposed development. The property is proposed to be served by public water and public sewer. The application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the 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 property. Electrical, telecommunications, and gas services are also available to serve the property.

**Compliance with Zoning Ordinance and Subdivision Regulations**

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The size, width, shape, and orientation of the proposed lot is 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. As discussed in the Sketch Plan section of this report, the application substantially conforms to the *Bethesda CBD Sector Plan* and the *Bethesda Purple Line Station Minor Master Plan Amendment*. The application complies with the land use recommendations for the site as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan and Minor Master Plan Amendment. As evidenced by the preliminary plan, the site is sufficiently large to efficiently accommodate the proposed mix of uses.

Under Section 4.5.4 of the Zoning Ordinance, the dimensional standards for the lots will be determined with approval of the subsequent site plans.

## **Environment**

The subject property is located in the Bethesda CBD and within the Willett Branch watershed which is a tributary to Little Falls Branch Stream, a Use I-P watershed<sup>2</sup>. The site is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100 year floodplains, steep slopes, or specimen trees. There are few street trees along the site ranging in sizes, but they are generally under 24" diameter at breast height (DBH).

### *Forest Conservation*

The project is subject to a forest conservation plan that has been submitted with the application. Although no forest exists on or near the site, there is an afforestation requirement of 0.36 acres. The forest conservation requirements will be addressed offsite by a payment of fee-in-lieu. The preliminary forest conservation plan will be considered with the preliminary plan and the final forest conservation plan will be considered with the site plan.

### *Stormwater Management*

The MCDPS Stormwater Management Section approved the stormwater management concept on January 6, 2016. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent practicable through the use of green roofs.

## **SECTION 7: SITE PLAN ANALYSIS AND FINDINGS**

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*
2. *To approve a site plan, the Planning Board must find that the proposed development:*
  - a. *satisfies any previous approval that applies to the site;*

The applicant is submitting this application for site plan amendment approval concurrently with the proposed sketch plan and amendment to the approved preliminary plan. This site plan is consistent with the development proposed under the sketch plan and preliminary plan amendment.

- b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

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<sup>2</sup> Use I-P:

WATER CONTACT RECREATION & PROTECTION OF AQUATIC LIFE, AND PUBLIC WATER SUPPLY

Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply, industrial water supply, and use as a public water supply.

- c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

This section is not applicable as the Property’s zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

- i. *Division 4.5. Commercial/Residential Zones*

Development Standards

The project is approximately 3.02 gross acres zoned CR-5.0 C-5.0 R-5.0 H-145. The following table, Table 5, shows the application’s conformance to the development standards of the zone.

<b>Table 5 - Site Plan Project Data Table</b>				
<b>Section</b>	<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Proposed in Sketch Plan</b>	<b>Proposed in Site Plan</b>
<b>59 – 4</b>	<b>Gross Tract Area (sf)</b>	n/a	131,545	131,545
<b>4.5.4.B.2.b</b>	<b>Density</b> CR-5.0, C-5.0, R-5.0, H-145			
	Commercial FAR/GAF	5.0/657,725	4.46/586,611	4.46/586,611
	Residential FAR/GFA	5.0/657,725	0/0	0/0
	<b>TOTAL FAR/GFA</b>	5.0/657,725	4.46/586,611	<b>4.46/586,611</b>
<b>4.5.4.B.2.b</b>	<b>Building Height (feet)</b> CR-3.0, C-5.0, R-5.0, H-145	145	145	145
<b>4.5.4.B.3</b>	<b>Minimum Setback</b> From R.O.W.	0’	0’	0’
<b>4.5.4.B.1</b>	<b>Open Space</b> Public Open Space (%/sq. ft.)	10/10,450	12.7/13,235	12.7/13,235
<b>6.2</b>	<b>Parking spaces, minimum-maximum</b>	959-1,928	959	959

- ii. *Division 4.7 Optional Method Public Benefits*

In accordance with the Zoning Ordinance, Section 59-4.7.1, the site plan proposes the following phased public benefits to satisfy the requirements: Major Public Facilities, Transit Proximity, Connectivity and Mobility, Quality of Building and Site Design, and Protection and Enhancement of the Natural Environment.

<b>Table 6 - Site Plan Public Benefits Calculations</b>			
<b>Public Benefit</b>	<b>Incentive Density Points</b>		
	<b>Proposed Under Sketch Plan</b>	<b>Requested</b>	<b>Recommended</b>
<b>Major Public Facilities</b>	<b>7.6</b>	<b>7.6</b>	<b>7.6</b>
<b>Transit Proximity</b>	<b>40</b>	<b>40</b>	<b>40</b>
<b>Connectivity and Mobility</b>			
<b>Minimum Parking</b>	<b>10</b>	<b>10</b>	<b>10</b>
<b>Quality of Building and Site Design</b>			
<b>Architectural Elevations</b>	<b>20</b>	<b>20</b>	<b>20</b>
<b>Exceptional Design</b>	<b>7.5</b>	<b>7.5</b>	<b>7.5</b>
<b>Structured Parking</b>	<b>14.1</b>	<b>14.1</b>	<b>14.1</b>
<b>Protection and Enhancement of the Natural Environment</b>			
<b>Building Lot Termination</b>	<b>2.5</b>	<b>2.5</b>	<b>2.5</b>
<b>Vegetated Wall</b>	<b>5</b>	<b>5</b>	<b>5</b>
<b>Vegetated Roof</b>	<b>10</b>	<b>10</b>	<b>10</b>
<b>TOTAL</b>	<b>116.7</b>	<b>116.7</b>	<b>116.7</b>

Major Public Facilities

In accordance with the Minor Master Plan Amendment, the project will contribute its share of the cost of the on-street alignment of the Capital Crescent Trail on the north side of Bethesda Avenue.

The points are calculated as follows:

$$\{[(0 + 0)/104,500 * 2] + [(1,993/104,500) * 4]\} * 100 = 7.6$$

Transit Proximity

The subject property is located within ¼ mile of the entrance to the Bethesda Metro Station, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. Staff recommends the full 40 points as provided in the Zoning Ordinance for CR-zoned properties that are within ¼ mile of a Metrorail station.

Connectivity and Mobility

*Minimum Parking:* The application proposes fewer than the maximum number of allowed parking spaces. The maximum number of allowed spaces is 1,928, but the application will provide 959 spaces.

The points are calculated as follows:

$$[(1,928/959)/(1,928/959)]*10 = 10$$

Quality of Building and Site Design

*Architectural Elevations:* The building is designed to provide ground-floor transparency. The ground-floor façade is primarily glass, readily allowing views into and out of the building. The building will have at least three public entry doors on Bethesda Avenue serving the retail spaces

and the office lobby. The certified site plan will document these and other design elements and substantial conformance with the building design will be required of the applicant. The full 20 points are recommended because the project is located in an area where architectural elevations are a priority of the applicable master plan.

*Exceptional Design:* Incentive density of up to five points is appropriate for development that meets at least four of the following criteria, and ten points for development that meets all of them:

- Provides innovative solutions in response to the immediate context
- Creates a sense of place and serves as a landmark
- Enhances the public realm in a distinct and original manner
- Introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way
- Uses design solutions to make compact infill development living, working, and shopping environments more pleasurable and desirable on a problematic site
- Integrates low-impact development methods into the overall design of the site and buildings, beyond green building or site requirements.

The proposed building design is a unique response to the urban and architectural setting of the subject property. The design focuses on achieving a richly articulated massing, broken down into a series of different volumes that reduce the perceived scale of the overall building from the public realm through the use of setbacks and a cantilevered section above the adjacent two-story retail building. This sculptural treatment of an infill site accentuates the importance of the corner of Woodmont and Bethesda Avenues, creating an iconic building that defines the site while acting as a transition between the taller buildings towards the north and east and the lower ones towards the south and west.

The expression of multiple volumes is highlighted by the use of two different architectural envelopes for the upper volumes and a unique retail storefront design for the building base. The building will rely on quality materials and innovative façade systems, like curtain wall and decorative rain screen panel systems, to ensure lasting performance and aesthetic appeal.

A major goal of the project is to create high quality retail space with a generous floor to ceiling height that will appeal to many different businesses. The base will be pedestrian-oriented, with entrances at grade with the sidewalk.

Staff recommends 7.5 points.

*Structured Parking:* The applicant requests 14.1 points for structured parking consisting of 564 above-grade spaces and 395 below-grade spaces. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade.

The points are calculated as follows:

$$[(564/959)*10] + [(395/959)]*20 = 14.1$$

### Protection and Enhancement of the Natural Environment

*Building Lot Termination:* The applicant must purchase BLT easements in an amount equal to 7.5% of the incentive density floor area. One BLT must be purchased for each 31,500 square feet of gross floor area. With these parameters, the applicant must purchase 0.28 BLTs, for 2.5 points.

The points are calculated as follows:

$$((118,527 * 7.5\%) / 31,500) * 9 = 2.5$$

*Vegetated Roof:* Staff recommends 10 points for providing vegetated roofs with a soil depth of at least 4 inches and covering at least 60% of the total roof excluding space for mechanical equipment.

*Vegetated Wall:* Staff recommends five points for a vegetated wall that will be placed on the exterior wall of the existing above grade parking garage that is part of the existing office building at 7200 Wisconsin Avenue. The vegetated wall will screen the parking garage from the proposed office building. The green screen is located on a blank garage façade. The green screen will cover 30% of the blank wall. The green screen will be comprised of a three-dimensional welded wire trellis system that will be attached to the garage face. Two different species of vine will be planted on the green screen. American wisteria is a deciduous vine with purple blooms that emerge during early summer. Boston Ivy is an evergreen climbing vine.

#### *iii. Division 6.1. Site Access*

The existing driveways provide well-integrated access from Bethesda Avenue to the subject property, and they will continue to do so for the proposed building also.

#### *iv. Division 6.2. Parking, Queuing, and Loading*

The project's proposed office building and the existing office building will share a parking garage and loading spaces for adequate off-street parking and loading.

#### *v. Division 6.3. Open Space and Recreation*

The project has a 10 percent public open space requirement, which yields a requirement of 10,450 square feet of open space. The project proposes to provide 13,235 square feet of public open space. A portion of the public open space will be provided in the previously approved, and now existing, Artery Plaza at the intersection of Wisconsin Avenue and Bethesda Avenue. This plaza will be improved with new landscaping, benches, tables, chairs, umbrellas, and a colorful fabric shade for the existing trellis.

#### *vi. Division 6.4. General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by office employees, business owners, and visitors. The application will transform existing streetscape along the frontage on Bethesda Avenue with new street trees, improved sidewalk, and street lighting.

As shown in the Development Standards table, the site plan meets all of the general requirements and development standards of Section 4.5 of the Zoning Ordinance, the optional method public benefits provisions of Division 4.7 of the Zoning Ordinance, and the general development requirements of Article 59-6 of the Zoning Ordinance.

*e. satisfies the applicable requirements of:*

*i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

The MCDPS Stormwater Management Section approved the stormwater management concept on January 6, 2016. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent practicable through the use of green roofs.

*ii. Chapter 22A, Forest Conservation.*

The application is in compliance with the Environmental Guidelines and Forest Conservation Law. The project is subject to a forest conservation plan that has been submitted with the application. Although no forest exists on or near the site, there is an afforestation requirement of 0.36 acres. The forest conservation requirements will be addressed offsite by a payment of fee-in-lieu. Staff recommends that the Planning Board approve the final forest conservation plan as part of the site plan with the conditions cited in this staff report.

*f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;*

The site plan provides safe and well-integrated parking and circulation patterns. Driveways will provide well-integrated vehicular access from Bethesda Avenue to structured garages, which will be shared between the proposed building and the existing on-site office building. The garages will ensure adequate off-street parking. Pedestrians will access the subject property via sidewalks along the property frontage, with street trees, perennials, and shrubs.

The site plan includes sidewalk and streetscape upgrades to the subject property's frontage along Bethesda Avenue. These enhancements will also facilitate improved pedestrian connections from nearby neighborhoods by offering improved access to existing and planned bikeways, transit, shared use paths, and retail uses.

The project provides safe and well-integrated buildings, open spaces and site amenities. The project's building height of 145 feet provides an appropriate transition from taller buildings proposed for the Apex Building site to the lower buildings further away from the center of the Metro Core District.

The open spaces shown on the site plan are also well integrated into the project. The site plan reflects streetscaping improvements along Bethesda Avenue, which will include sidewalks and street trees. The project will also provide enhancements to the existing Artery Plaza at the intersection of Wisconsin Avenue and Bethesda Avenue, including new landscaping, tables, chairs, benches, planters, and umbrellas. These enhancements will create increased appreciation for this plaza, and integrate it into the improvements elsewhere on the site.

- g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

As discussed in the Sketch Plan section of this staff report, the site plan substantially conforms with the recommendations of the *Bethesda CBD Sector Plan* and the *Bethesda Purple Line Station Minor Master Plan Amendment*. The site plan responds to the Sector Plan's main goals, including providing employment opportunities in close proximity to transit, infill development that contributes to the vibrancy and success of downtown Bethesda, and contribution to the cost to construct the on-street alignment of the Capital Crescent Trail, as recommended in the Minor Master Plan Amendment.

- h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

As discussed in the preliminary plan findings, the proposed development in the site plan will be served by adequate public facilities, including police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Property is not located in a Rural Residential or Residential zone.

- j. on a property in all other zones, is compatible with existing and approved or pending adjacent development.*

The proposed building is compatible with existing and pending nearby development. The project's building height of 145 feet provides an appropriate transition from the taller buildings proposed for the Apex Building site to the existing lower buildings farther away from the center of the Metro Core District. The building will be placed up to the sidewalk, continuing the street wall created by existing buildings on this block. The proposed use, office and retail, is compatible with the surrounding commercial buildings on this block.

## **CONCLUSION**

The project complies with the general requirements and development standards of Section 4.5, the optional method public benefits provisions of Division 4.7, and the general development requirements of Article 59-6 of the Zoning Ordinance. The project satisfies the findings of the Subdivision Regulations and substantially conforms with the goals and recommendations of the *Bethesda CBD Sector Plan* and the *Bethesda Purple Line Station Minor Master Plan Amendment*. Therefore, staff recommends approval of Sketch Plan No. 320150050, Preliminary Plan Amendment No. 11983015A, and Site Plan Amendment No. 81984002B with the conditions specified at the beginning of this report.

**ATTACHMENTS**

Attachment A: Sketch Plan, Preliminary Plan Amendment, and Site Plan Amendment

Attachment B: Resolutions approving Site Plan 819840020, Site Plan Amendment 81984002A, and Project Plan Amendment 91981009A

Attachment C: Letter from applicants vacating the Woodmont/7200 applications

Attachment D: Agency Correspondence Referenced in the conditions





NO.	DATE	DESCRIPTION	BY

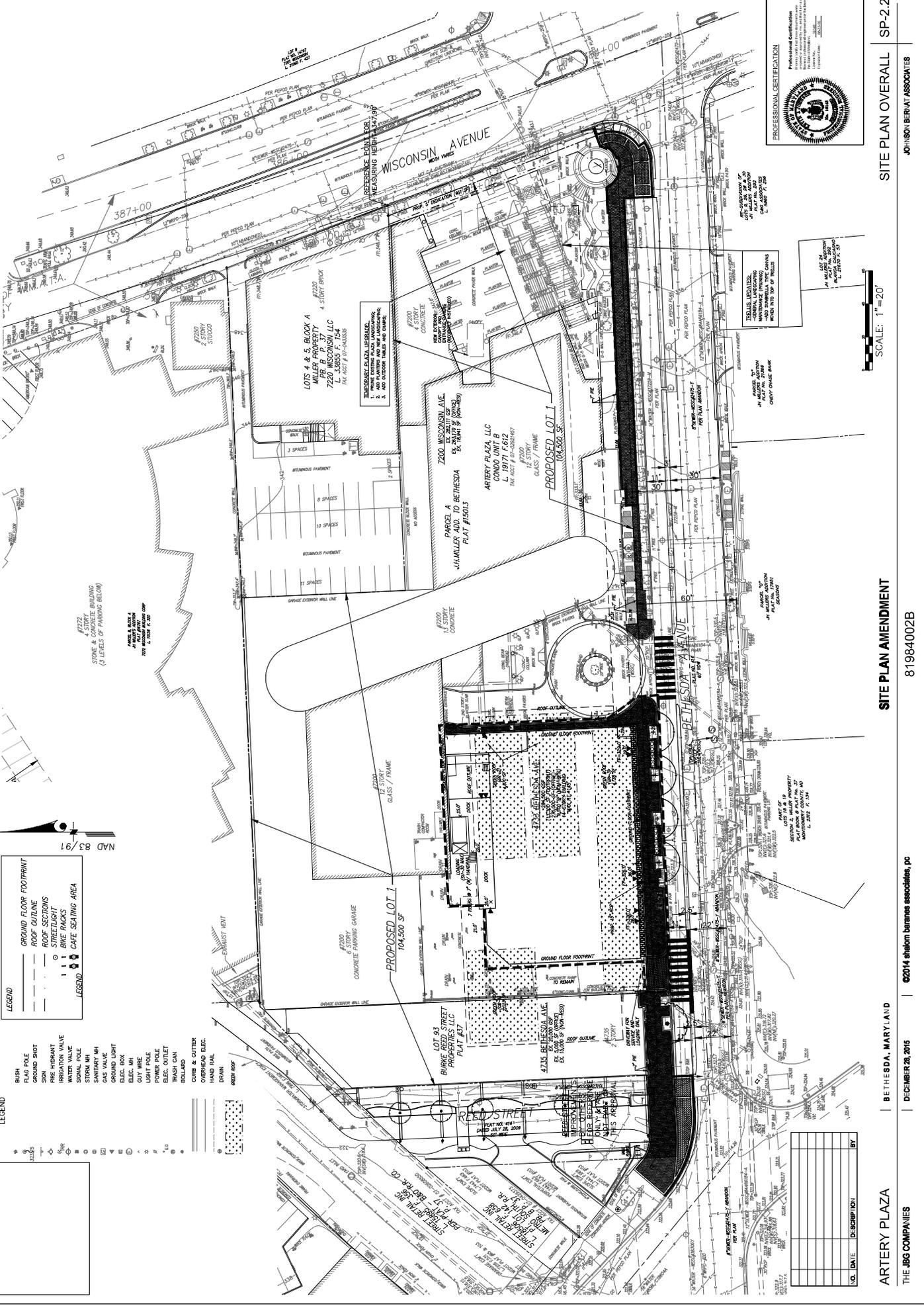
- LEGEND**
- ⊙ BUSH
  - ⊙ FLAG POLE
  - ⊙ LIGHTING SPOT
  - ⊙ SIGN
  - ⊙ FIRE HYDRANT
  - ⊙ IRRIGATION VALVE
  - ⊙ WATER VALVE
  - ⊙ STORM MANHOLE
  - ⊙ SANITARY MH
  - ⊙ GAS VALVE
  - ⊙ GROUND LIGHT
  - ⊙ ELEC. BOX
  - ⊙ ELEC. PANEL
  - ⊙ GUY WIRE
  - ⊙ LIGHT POLE
  - ⊙ POWER POLE
  - ⊙ ELEC. OUTLET
  - ⊙ PUSH CAN
  - ⊙ CURB & GUTTER
  - ⊙ OVERHEAD ELEC.
  - ⊙ HAND RAIL
  - ⊙ DRAIN
  - ⊙ GREY ROOF

- LEGEND**
- GROUND FLOOR FOOTPRINT
  - ROOF OUTLINE
  - ROOF SECTIONS
  - ⊙ STREETLIGHT
  - ⊙ BIKE RACKS
  - ⊙ CAFE SEATING AREA

NAD 83/91



LOTS 4 & 5, BLOCK A  
STONE & CONCRETE BUILDING  
(3 LEVELS OF PARKING BELOW)



SCALE: 1" = 20'

PROFESSIONAL CERTIFICATION

JOHNSON BERWAL ASSOCIATES

SITE PLAN AMENDMENT SP-2.2

ARTERY PLAZA  
THE JBG COMPANIES

BETHESDA, MARYLAND  
DECEMBER 28, 2015

©2014 shalom baranes associates, pc  
81984002B

Date Mailed Monday, Sept. 24, 1984



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20907

September 13, 1984

## MONTGOMERY COUNTY PLANNING BOARD

## Opinion

Site Plan No. 8-84002  
Project: Artery Organization  
Headquarters Building

Action: Approval with Conditions (Motion of Comm. Granke,  
Seconded by Comm. Krahnke, with a vote of 4-0,  
Comm. Keeney absent)

On May 31, 1984, the Artery-Bethesda Associates and 4733 Associates submitted an application for the approval of a site plan for property in the CBD-2 zone. The application was designated Site Plan Review No. 8-84002.

On July 11, 1984, Site Plan Review No. 8-84002 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Planning Board heard testimony and received other evidence from the Staff and the applicant. Except as modified below, the Planning Board adopts the Staff Report (attached hereto and made a part hereof). Based on the evidence and testimony before it, the Planning Board approves Site Plan No. 8-84002, subject to the following conditions:

1. Enforcement Agreement and Development Program

The applicant will provide a Site Plan Enforcement Agreement and Development Program prior to approval of the building permit.

2. Underground Utilities

The applicant will relocate all existing and construct all new underground utilities along Bethesda Avenue (North Side) between Wisconsin Avenue and Reed Street and Wisconsin Avenue (West Side) between Bethesda Avenue and the driveway north of Community Hardware. This will be completed in accordance with the applicable requirements of PEPCO, C & P Telephone, MCDOT, Washington Gas, WSSC, and other applicable agencies.

- a. All new utilities which serve the proposed Artery Building must be located underground.
- b. All utility connections to existing buildings will be located underground.
- c. Transition from underground to overhead service will be provided by the applicant.
- d. Final review of the utility layout will be provided for staff review prior to the start of construction of the utilities.

3. Street Lighting

- a. Bethesda Lantern: The applicant will provide, install and maintain all Bethesda Lanterns in accordance with the requirements of MCDOT. Final location must be provided for staff review prior to approval of the building permit. Power for the lighting will be provided by Montgomery County.
- b. High Intersection Lighting: MCDOT has agreed to provide, install and maintain the high intersection lighting. The applicant will install electrical conduit and coordinate final location and construction phasing with MCDOT prior to start of construction.
- c. Traffic and Crosswalk Signals: MCDOT will provide, install and maintain the traffic and crosswalk signals. Final location and construction phasing of the traffic and crosswalk signals will be coordinated with MCDOT prior to start of construction.

4. Management Organization

The applicant shall enter into agreements to participate in such Management Organization as may be adopted as a requirement by the Montgomery County Planning Board as a part of the Streetscape Program prior to approval of the occupancy permit. Until the Management Organization is established, the applicant shall be responsible for the maintenance, promotion, and security of the public amenity areas constructed by the applicant upon the applicant's property and within public rights-of-way, and for the maintenance of public amenity areas constructed by the applicant upon other privately held property.

5. Other Streetscape Elements

Location of benches, trash enclosures, details and specifications of streetscape elements will be designed

in accordance with the Bethesda Streetscape Plan as adopted by the Planning Board. Final review and approval will be completed prior to issuance of the occupancy permit.

6. Art Gallery - Lobby Public Amenity Area

The applicant will design the art gallery-lobby area with as little spatial separation as possible according to plans to be approved by staff; the degree of separation will be negotiated with staff and with the selected gallery operator prior to issuance of occupancy permit for the Artery Building. The art gallery-lobby will be open for public viewing a total of at least six hours after 5:00 P.M. during the weekdays and at least six hours on weekends, the exact times to be agreed in writing with staff prior to occupancy permit.

7. Restaurant on Main Floor

The design for stained glass embellishment of the restaurant area facing the courtyard will be submitted for staff approval prior to issuance of occupancy permit for the restaurant. The stained glass will be installed in a size and location to be clearly appreciated from the outdoor area.

8. Bethesda Avenue Streetscape

The final detail design of the streetscape elements along Bethesda Avenue including but not limited to crosswalk access ramps, street lighting, storm drainage and catch basins, tree pit size and design, tree size and planting method, curb rebuilding, and driveway apron design will be agreed to by MCDOT and M-NCPPC Staff prior to issuance of building permit.

9. Platform in front of Existing Building - Bethesda Avenue

The applicant will work with Staff to achieve an attractive design for the platform area in front of the existing building, including attention to the wall at sidewalk level and to the extent of paving, landscaping and seating in the platform space to be approved by Staff prior to issuance of a building permit.

10. Parking Covering

The applicant will present for staff approval an alternative to standard gravel built-up roof over the parking structure in the northwest corner of the site, prior to issuance of building permits.

11. Landscaping Elements

The applicant will present the specification for the tree containers at the courtyard for staff comments.

12. Bicycle Parking

The applicant will submit for staff approval locations and specified parking equipment for at least 100 bicycles for office building use and racks for at least 14 bicycles for public use in the courtyard area.

Relying on the Staff Report and testimony as supplemented by the applicant's evidence and testimony, the Planning Board finds:

1. The Site Plan is consistent with Project Plan No. 9-83003.

The applicant has made the design modifications to the Lobby Art Gallery in order to provide adequate security for the Art Gallery. Staff and the applicant have met and have agreed to certain design modifications which address the security concerns of the applicant, while maintaining the Lobby's monumental entrance character. The modifications to the Lobby include:

1. A low wall which will separate the Gallery and the Lobby to permit one person to manage the gallery space.
2. Hand rail which will prevent anyone from jumping over the wall.
3. Sliding glass walls to secure the gallery in the evening.

The applicant will drop the floor back to the original level and will display art pieces on the South wall which will be large enough to be secured by electronic devices.

The Planning Board approves the minor modifications to the Project Plan as necessary changes to insure the security of the Gallery while retaining the open appearance of the Lobby Art Gallery as a monumental entrance.

(b) The architectural screen and steps along Bethesda Avenue, as shown on the Site Plan, are not consistent with the Project Plan. Condition 9 adequately addresses this inconsistency.

(c) The Project Plan called for a clock tower embellishment as part of the public art program. The applicant was unable to obtain an adequate design for the clock tower. However, the applicant has substituted terraced fountains and pools in the courtyard and has maintained the clock tower as an architectural feature, to be designed by a respected clock maker.

2. The Site Plan conforms to the requirements of the CBD-2 zone.

The Planning Board bases this finding on the plan as submitted and on the Staff Report, page 15.

3. The location of the buildings and structures, the open spaces, the landscaping and the pedestrian and vehicular circulation systems are adequate, safe and efficient.

The location and configuration of the various building elements were extensively discussed at Project Plan approval. The Site Plan follows closely the Project Plan and maintains the approved public access and circulation.

The open space for the project is adequate. Thirty-four percent of the site is amenity space which includes a large landscaped formal courtyard along the front of Wisconsin Avenue and a platform area in front of the existing building on Bethesda Avenue.

The applicant will provide extensive off-site improvements, including the reconstruction of the west sidewalk along Wisconsin Avenue, between Bethesda Avenue and the B & O Railroad right-of-way to the north, in the path of Metro. Improvements will also be made along the north sidewalk of Bethesda Avenue between Wisconsin Avenue and Reed Street to the west. [These improvements will result in better pedestrian circulation.]

Vehicular circulation is provided by two major vehicular entrances to the site at Bethesda Avenue. No vehicular access is provided along the major pedestrian zone along Wisconsin Avenue.

With the additional requirements of Conditions 9 and 11, the landscaping for the plan is adequate. Condition 9 addresses concerns for the adequacy of the landscaping for the terrace platform and Condition 11 addresses concerns for the adequacy of the landscaping elements for the courtyard. The streetscape elements of the Site Plan will be designed in accordance with the Bethesda Streetscape Plan.

4. Each structure and use is compatible with other uses and other site plans and with existing and proposed developments.

Long extensions of streetscape improvements will effectively tie the project to other nearby buildings.

The Artery building will make extensive use of fieldstone which is compatible with the use of fieldstone elsewhere in Bethesda.

The major compatibility issue concerns the roof of the parking structure in the northwest corner of the site. The Planning Board agrees with the Staff that the built-up gravel roof shown on the site plan is not compatible with existing or proposed development. Condition 10 adequately addresses the compatibility problem.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

DATE MAILED: Sept. 26, 1986

MONTGOMERY COUNTY PLANNING BOARD  
OPINION

Site Plan Review #8-84002 (Amendment)  
Project Artery Plaza, Bethesda

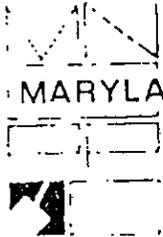
On September 4, 1986, Artery Plaza Associates submitted an application for the approval of an amendment to the site plan for property in the CBD-2 zone. The application was designated Site Plan Review #8-84002 (Amended).

On September 18, 1986, Site Plan Review #8-84002 (Amended) was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the site plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe and efficient; and
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

and approves Site Plan Review #8-84002 as amended, including a reduction in parking for a mixed-use development in Section 59-E-3.1, subject to the following conditions:

1. Execution of an acceptable ride-share agreement.
2. Provision of 200 short-term spaces for retail uses. The amount may be reduced with the approval of staff upon demonstration that the needs are being met.
3. Submission of as-built parking garage drawings which show the approved parking bay locations.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD  
OPINION

AMENDMENT TO SITE PLAN

Site Plan Review #8-84002  
Project: Artery Organization Headquarters  
Building

Date Mailed: September 22, 1988

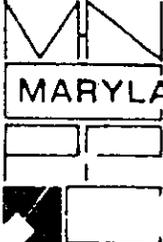
Action: (Motion was made by Commissioner Floreen, seconded by Commissioner Henry, with a vote of 5-0, Commissioners Christeller, Keeney, Floreen, Henry, and Hewitt voting for and no Commissioner voting against.)

On April 18, 1988, The Artery Organization submitted a request for an amendment to Site Plan #8-84002, located in the CBD-2 zone.

On June 30, 1988, Request for Amendment to Site Plan Review #8-84002 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the amended Site Plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient; and
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;

and approves the Amendment to Site Plan Review #8-84002 subject to all the conditions of the previously-approved Site Plan, to be addressed prior to release of building permits.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD  
OPINION

AMENDMENT TO SITE PLAN

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Site Plan Review #8-84002A                      Date Mailed: August 12, 1992  
Project: Artery Organization's Headquarter's Building

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Action: Approval, subject to condition. Motion was made by Commissioner Aron, seconded by Commissioner Richardson, with a vote of 3-1, Commissioners Aron, Bauman, and Richardson voting for, Commissioner Floreen voting against. Commissioner Baptiste was absent.

On July 6, 1992, Steve Karr submitted a request for an amendment to Site Plan #8-84002, located in the CBD-2 zone.

On August 6, 1992, Request for Amendment to Site Plan Review #8-84002 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report hereby adopted by the Montgomery County Planning Board, and which is made a part hereof, the Montgomery County Planning Board finds:

1. the amended Site Plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
4. The Site Plan is consistent with the approved Project Plan.

The Montgomery County Planning Board approves the Amendment to Site Plan Review #8-84002 as follows:

+1,008 square feet - commercial - retail

subject to all the conditions of the previously-approved Site Plan, to be addressed prior to release of building permits, and subject to the following condition:

1. Submit a Site Plan Enforcement Agreement and Development Program for staff approval.



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

DEC 10 2014

MCPB No. 14-87  
Site Plan No. 81984002A  
The Artery Building  
Date of Hearing: December 4, 2014

**RESOLUTION**

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board" or "Board") is authorized to review site plan applications; and

WHEREAS, on July 11, 1984, the Planning Board, by Resolution dated September 13, 1984, approved Site Plan No. 819840020 for 366,854 square feet of office uses and 26,796 square feet of retail uses on 2.19 acres of CBD-2 zoned-land, located in northwest quadrant of the intersection of Wisconsin Avenue and Bethesda Avenue ("Subject Property"), in the Bethesda CBD Policy Area, Bethesda CBD Sector Plan Area ("Master Plan") area; and

WHEREAS, on August 6, 1992, the Planning Board, by Resolution dated August 12, 1992, approved an amendment to Site Plan No. 819840020 to increase the floor area of retail use by 1,008 square feet on the Subject Property; and

WHEREAS, on July 10, 2014, JBG/7200 Wisconsin, LLC ("Applicant") filed an application for approval of an amendment to the previously approved site plan to make minor modifications to the interior public amenity space, the public use space along Bethesda Avenue, and the exterior architecture at the Bethesda Avenue and Wisconsin Avenue building entrances on the Subject Property; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 81984002A, The Artery Building ("Site Plan," "Amendment" or "Application"); and

---

Approved as to  
Legal Sufficiency:

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

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 24, 2014, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on December 4, 2014, 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 certified below;

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Site Plan No. 81984002A for minor modifications to the interior public amenity space, the public use space along Bethesda Avenue, and the exterior architecture at the Bethesda Avenue and Wisconsin Avenue building entrances by modifying the following conditions:<sup>1</sup>

1. The Applicant must operate the lobby art gallery for public viewing on weekdays from 8:00 a.m. to 6:00 p.m., holidays excepted. Future changes to the hours of operation may be approved by the Planning Director or his or her designee. This condition modifies condition number 6 of the Planning Board Resolution for Site Plan 819840020, dated September 13, 1984.
2. The Applicant must provide wall space in the lobby art gallery, free of charge, for the Bethesda Arts and Entertainment District Board to exhibit one piece of art at any one time by a local artist. The Applicant will have final approval over all works of art included in the lobby art gallery. In addition, the Applicant must provide a plaque to be mounted on the wall of the lobby art gallery next to the contributed art piece, stating that the art is provided by the Bethesda Arts and Entertainment District.

BE IT FURTHER RESOLVED that all other Site Plan conditions of approval for this project remain valid, unchanged and in full force and effect; and

BE IT FURTHER RESOLVED that all site development elements as shown on The Artery Building drawings received by the M-NCPPC electronic filing system as of the date of the Staff Report are required, except as modified by the above conditions of approval; and

---

<sup>1</sup> 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 having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning 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. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan as revised by previous amendments, and all findings not specifically addressed remain in effect.*

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

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

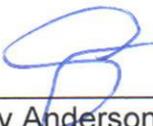
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 10 2014 (which is the date that this resolution is mailed to all parties of record); and

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 Fani-Gonzalez, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Presley and Fani-Gonzalez voting in favor, and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, December 4, 2014, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board



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

DEC 10 2014

MCPB No. 14-86  
Project Plan No. 91981009A  
The Artery Building  
Date of Hearing: December 4, 2014

**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 May 5, 1983, the Planning Board approved Project Plan No. 919810090, for 366,854 square feet of office uses and 26,796 square feet of retail uses on 2.19 acres of CBD-2 zoned-land, located in northwest quadrant of the intersection of Wisconsin Avenue and Bethesda Avenue ("Subject Property"), in the Bethesda CBD Policy Area, Bethesda CBD Sector Plan Area ("Master Plan") area; and

WHEREAS, on July 2, 2014, JBG/7200 Wisconsin, LLC ("Applicant"), filed an application for approval of an amendment to the previously approved project plan to make minor modifications to the interior public amenity space, the public use space along Bethesda Avenue, and the exterior architecture at the Bethesda Avenue and Wisconsin Avenue building entrances on the Subject Property; and

WHEREAS, Applicant's application to amend the project plan was designated Project Plan No. 91981009A, The Artery Building ("Project 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 24, 2014, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on December 4, 2014, 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 Project Plan No. 91981009A for minor modifications to the interior public amenity space, the public use space along Bethesda Avenue, and the exterior architecture at the Bethesda Avenue and Wisconsin Avenue building entrances by modifying the following conditions:<sup>1</sup>

1. The Applicant must operate the lobby art gallery for public viewing on weekdays from 8:00 a.m. to 6:00 p.m., holidays excepted. Future changes to the hours of operation may be approved by the Planning Director or his or her designee. This condition modifies condition number 17 of Project Plan 919810090.

BE IT FURTHER RESOLVED that all other Project Plan conditions of approval for this project remain valid, unchanged and in full force and effect; and

BE IT FURTHER RESOLVED that all site development elements as shown on The Artery Building drawings received by the M-NCPPC electronic filing system as of the date of the Staff Report, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning 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. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved project plan, and all findings not specifically addressed remain in effect.*

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

---

<sup>1</sup> 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 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 Board in this matter, and the date of this Resolution is DEC 10 2014 (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 Fani-Gonzalez, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Presley and Fani-Gonzalez voting in favor, and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, December 4, 2014, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board

THE JBG COMPANIES

March 6, 2014

VIA E-MAIL

Mr. Robert Kronenberg  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

RE: 7200/Woodmont -- Extinguishment of Project Plan No. 92007007, Preliminary Plan No.12007020 and Site Plan No. 820098 and All Amendments Thereto

Dear Mr. Kronenberg:

JBG Associates, LLC and Street Retail Inc. (a Federal Realty Investment Trust affiliate), the owners of the land subject to Project Plan No. 92007007, Preliminary Plan No.12007020 and Site Plan No. 820098, and all Amendments thereto (the "Entitlements"), hereby vacate the Entitlements.

The determination to not pursue the development and extinguish the Entitlements is based on various market forces which make the development in accordance with the Entitlements infeasible. To this end, in December 2013 the Purchase and Sale Agreement dated August 31, 2011 by and between JBG Associates and Street Retail, which controlled the cooperative development of the 7200/Woodmont project, was terminated.

Mr. Robert Kronenberg  
March 6, 2014  
Page 2

Importantly, JBG Associates and Street Retail remain committed to the Bethesda CBD and look forward to working with M-NCPPC and the County in furthering the urban design and development goals for this area of Bethesda.

Respectfully submitted:

JBG ASSOCIATES, LLC  
*a Delaware limited liability company*  
By: *JBG Company Manager IV, LLC*  
*its Managing Member*

By: \_\_\_\_\_  
Its: James L. Iker  
Managing Member

STREET RETAIL, INC.

By: \_\_\_\_\_  
Its: Dawn M. Becker  
Vice President - Chief Operating Officer



## DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R. Schwartz Jones  
Director

January 6, 2016

Mr. Andrew Bradshaw  
Johnson Bernat Associates, Inc.  
205 North Frederick Avenue, Suite 100  
Gaithersburg, MD 20877

Re: Stormwater Management **CONCEPT** Request  
for 4733 Bethesda Avenue / Artery Plaza  
Preliminary Plan #: 11983015A  
SM File #: 271057  
Tract Size/Zone: 2.19 Ac./CR5  
Total Concept Area: 0.53 Ac.  
Lots/Block: A  
Watershed: Little Falls Branch

Dear Mr. Bradshaw:

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 ESD to the MEP by the use of green roofs. This only meets a Pe of 0.8 so a waiver of the remaining volume is granted due to limited space on the lot and existing shallow storm drains.

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. Green roofs to be designed by a professional with green roof experience.
6. A minimum of 11,331 square feet of 8 inch green roof is to be provided. At time of plan submittal try to increase the area of green roof.
7. All underground parking is to drain to WSSC. At time of plan submittal provide copy of garage drain schematics to verify this.

Mr. Andrew Bradshaw  
January 6, 2016  
Page 2 of 2

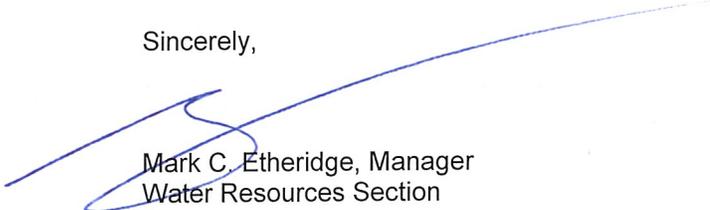
This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is 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: dwk CN271057 4733 Bethesda Avenue.DWK

cc: C. Conlon, Mark Pfefferle  
SM File # 271057

ESD Acres:	0.53
STRUCTURAL Acres:	0.00
WAIVED Acres:	0.53



Isiah Leggett  
County Executive

DEPARTMENT OF TRANSPORTATION

Al R. Roshdieh  
Director

February 29, 2016

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

**RECEIVED**

**MAR 02 2016**

MONTGOMERY PLANNING Area 1

RE: Sketch Plan No. 320150050  
Preliminary Plan No. 1199803015A  
Artery Plaza

*Neil:*  
Dear Mr. Braunstein:

We have completed our review of the preliminary plan dated December 28, 2015. An earlier version of this preliminary plan was reviewed by the Development Review Committee at its meeting on November 9, 2015. We understand that the previous Planning Board approval, Preliminary Plan No. 12007020B, for this site has been vacated. Therefore, this letter replaces the previous MCDOT approval letter for this site. This letter also provides comments pertinent to the pending sketch plan, which was also reviewed by the Development Review Committee at its meeting on November 9, 2015. We recommend approval of the plan 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.

Design Exceptions

The applicant had previously applied for design exceptions for Preliminary Plan 12007020B. While the previous Preliminary Plan was vacated, the following design exceptions (modified to work with this plan) below are still needed for this project. The design exceptions are listed below along with MCDOT's responses.

**Office of the Director**

101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

Located one block west of the Rockville Metro Station

- Driveway separation: Driveways on Bethesda Avenue

**RESPONSE:** We **approve** the applicant's continued use of the existing driveways along Bethesda Avenue. The applicant is not proposing to change the location nor the width of either driveway along Bethesda Avenue. The western driveway will continue to be used for loading only; the applicant has provided a truck turning template to verify that trucks can access the loading area safely behind the building. The eastern driveway will remain, with access to the parking garage behind the building.

- Amenity Space in the public right-of-way along Bethesda Avenue: The applicant requested permission to install café seating in the Bethesda Avenue right-of-way.

**RESPONSE:** We **approve** this request for temporary, removable obstructions, subject to the Department of Permitting Services (DPS) *Outdoor Café Seating Guideline*. It is important to acknowledge that this amenity may be altered and/or removed by the County at the applicant's expense.

- Truncation of corner lots per Sec. 50-26 (c)(3): Truncation at Reed Street and Bethesda Avenue.

**RESPONSE:** We recommend Planning Board **approve** the applicant's request not to truncate at the intersection of Reed Street and Bethesda Avenue at this time. If the applicant were to truncate, the currently under construction, two-story building located at 4735 Bethesda Avenue will be in the Reed Street right-of-way. Reed Street is not constructed and is planned for continued use as the Capital Crescent Trail with outdoor space.

#### Standard Plan Review Comments

1. Show all existing planimetric and topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, bus stops, utilities, etc.) as well as existing rights-of-way and easements on the preliminary plan.

Mr. Neil Braunstein  
Sketch Plan No. 320150050  
Preliminary Plan No. 119983015A  
February 29, 2016  
Page 3

2. Full width dedication of Bethesda Avenue in accordance with the master plan. A Public Improvement Easement (PIE) is required to provide a ten (10) foot wide free and clear sidewalk along Bethesda Avenue.
3. Necessary dedication of Wisconsin Avenue (MD 355) in accordance with the master plan.
4. The storm drain analysis was reviewed and deemed acceptable to MCDOT.
5. We have concluded that this site location is not appropriate for back-in truck movements from Bethesda Avenue; truck movements will need to be made head-in, head-out with turnarounds made on-site.
6. The applicant has agreed to provide funding for the Bethesda Avenue separated bike lanes. The applicant must pay \$273,000, less the cost of the CADD file, if provided, to be used for the separated bike lanes located on Bethesda Avenue, between Woodmont Avenue and Wisconsin Avenue (MD 355). The payment must be made prior to the issuance of the first Use and Occupancy permit. If the County has already completed the separated bike lanes in this location, the applicant will continue to make the payment at a maximum cost of \$273,000, prior to the issuance of the first Use and Occupancy permit.
7. The sight distance studies have been accepted. A copy of the accepted Sight Distance Evaluation certification form is enclosed for your information and reference.
8. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
9. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.
10. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.
11. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.

12. Access and improvements along Wisconsin Avenue (MD 355) as required by the Maryland State Highway Administration.
13. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
14. 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.
15. 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.
16. 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 DPS Right-of-Way Plan Review Section.
17. At or before the permit stage, please coordinate with Mr. Benjamin Morgan of our Division of Parking Management to coordinate the impacts on public parking facilities in the vicinity of this project. Mr. Morgan may be contacted at 240 777-8704.
18. Traffic Management Agreement (TMAg): To facilitate review of the draft TMAg included with the Applicant's submittals, the TMAg must be redlined against the most recent template for commercial development. Prior to the issuance of any building permits by MCDPS, the TMAg must be entered into by the Applicant, the Planning Board and this Department. For questions or a copy of the template, call 240-777-8380. The draft TMAg submitted needs to be revised to include strategies that discourage solo-driving commutes by employees working in the fourteen (14) story office building and the ground floor retail/restaurant space. Several strategies that should be incorporated are detailed below:

- a. Employee Parking: Make pay parking available to employees working at the Project at price points that are at or above market rates to discourage the use of single-occupancy vehicle for commuting; do not require that tenant leases commit to a minimum number of parking spaces as a precondition to leasing space in the office building (unbundling).
- b. Flexible Work Hours: Encourage commercial tenants to maintain a flextime and telework policy for employers/employees for whom it is feasible.
- c. Bikesharing: Given the increase in total office space on the Project site, the increased number of peak period trips that will be generated, and the minimization of parking on-site (which is a good strategy as well), bikeshare will be an important component of this Project. Bikeshare will promote non-auto travel and can reduce the number of vehicular trips to and from this Project, while promoting bike access between the Project and transit as well as myriad other uses in the downtown Bethesda area. It is recommended the proposed Project be required to provide one (1) bikeshare station on-site, and pay the capital cost of bikeshare equipment, with contributions to the costs of service in accordance with MCDOT policy, County code and regulations in place at the time of occupancy. A typical station requires fifty-two (52) feet x twelve (12) feet of space. The Certified Preliminary Plan should identify two (2) placeholder locations for a bikeshare station (that are proposed by the applicants and approved by MCDOT). One (1) location that may be appropriate would be in the vicinity of Reed Street Park (although it is recognized this park is not officially part of this Project Application, the Applicant's Statement of Justification cited this park as a related public use/amenity for this Project – see page 7). Another potential location may be along Wisconsin Avenue (MD 355) near its intersection with Bethesda Avenue – or along Bethesda Avenue adjacent to the separated bike lanes planned there. The final location of the bikeshare station will be selected by the Applicant with coordination and approval of MCDOT, based upon the requirements of the bikeshare system and in a highly-visible, convenient and well-lit location on the Project. The Applicant will be required to work with MCDOT to promote the use of bikeshare among employees and visitors at the project.
- d. Showers and changing rooms/lockers – Provide in convenient locations within the development complex to enable large numbers of employees to bike or walk to

work or to/from transit in a variety of weather conditions.

- e. Real Time Information – Provide space for one (1) interior display monitor in the lobby of the Project for employees of and visitors to the office building (with all necessary conduit, electrical and internet connections) for displaying County real time information transit feeds. Feeds can be displayed on the same monitors planned for use in displaying Project-related information. There is no cost to utilize the County feed. If no such monitor is planned, the Applicant must purchase and install a monitor from the County and reimburse the County.
- f. Carpool/Vanpool Parking - Provide adequate numbers of carpool and vanpool parking spaces in highly visible, preferentially-located spots.
- g. Car Sharing Parking - Provide at a minimum the number of car sharing vehicle parking spaces as required by law, in highly visible, preferentially-located spots.
- h. Electric Car Charging Spaces - Provide two (2) electric car charging stations, or the number required by law, whichever is greater, on site.

Design Elements: The following design elements should be incorporated into the Project to facilitate the use of non-auto modes of transportation:

- a. Design building frontages/lobbies to provide two-way visibility for transit vehicles, shuttles and taxis.
  - b. Provide concierge/reception desk with an area where transit information and pass sales can be transacted – e.g., obtaining transit information, loading of SmarTrip cards.
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. On the Bethesda Avenue site frontage, construct Bethesda Central Business District (CBD) streetscaping.
  - b. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
  - c. Erosion and sediment control measures as required by Section 50-35(j) and on-

Mr. Neil Braunstein  
Sketch Plan No. 320150050  
Preliminary Plan No. 119983015A  
February 29, 2016  
Page 7

site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

- d. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Ms. Rebecca Torma our Development Review Area Senior Planning Specialist for this project at (240) 777-2118 or at [rebecca.torkim@montgomerycountymd.gov](mailto:rebecca.torkim@montgomerycountymd.gov).

Sincerely,



Gregory M. Leck, Manager  
Development Review Team  
Office of Transportation Policy

[m:/subd/tormar01/developments/Bethesda/artery plaza/119983015A](m:/subd/tormar01/developments/Bethesda/artery%20plaza/119983015A), Artery Plaza, preliminary plan letter draft

Enclosure

cc: Frank Craighill, JBG Associates, LLC  
Andrew Bradshaw, Johnson Bernat Associates, Inc.  
Kevin Johnson, Johnson Bernat Associates, Inc.  
Patricia Harris, Lerch, Early & Brewer, Chtd.  
Robert Kronenberg, MNCPPC Area 1  
Elza Hisel-McCoy, MNCPPC Area 1  
Matthew Folden; MNCPPC Area 1  
Pranoy Choudhury, MSHA District 3  
Preliminary Plan folder  
Preliminary Plan letters notebook

Mr. Neil Braunstein  
Sketch Plan No. 320150050  
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cc-e: Atiq Panjshiri; MCDPS RWPR  
Sam Farhadi, MCDPS RWPR  
Bruce Johnston, MCDOT DTE  
Timothy Cupples, MCDOT DTE  
Kenneth Kendall, MCDOT DTE  
Patricia Shepherd, MCDOT DTE  
Benjamin Morgan, MCDOT DPM  
Dan Sanayi, MCDOT DTEO  
Bruce Mangum, MCDOT DTEO  
Sandra Brecher, MCDOT OTP  
Beth Dennard, MCDOT OTP  
Rebecca Torma, MCDOT OTP

Frank Craighill  
JBG Associates, LLC  
44445 Willard Avenue, Suite 400  
Chevy Chase, Md 20815  
Day Phone: (240)333-3665

Andrew Bradshaw  
Johnson Bernat Associates, Inc  
205 N. Frederick Ave., Suite 100  
Gaithersburg, Md 20877  
Day Phone: (301)963-1133

Kevin Johnson  
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205 N. Frederick Ave., Suite 100  
Gaithersburg, Md 20877  
Day Phone: (301)963-1133

Patricia Harris  
Lerch, Early & Brewer, Chtd  
3 Bethesda Metro Center  
Suite 460  
Bethesda, Maryland 20814-5367  
Day Phone: (301)841-3832



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

**SIGHT DISTANCE EVALUATION**

Facility/Subdivision Name: J.H. Miller Add. to Bethesda Preliminary Plan Number: 1- 1983015A  
 Parcel A

Street Name: Bethesda Avenue Master Plan Road Classification: Busniess

Posted Speed Limit: 25 mph

Street/Driveway #1 ( West (4733) ) Street/Driveway #2 ( East (Circle) )

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>500'</u>	<u>yes</u>	Right <u>550'</u>	<u>yes</u>
Left <u>300'</u>	<u>yes</u>	Left <u>250'</u>	<u>yes</u>

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

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

**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

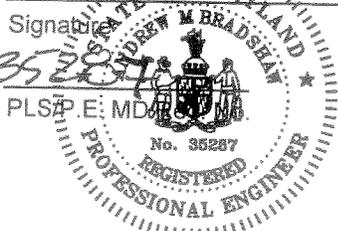
Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

**ENGINEER/ SURVEYOR CERTIFICATE**

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

*[Signature]*  
 \_\_\_\_\_  
 Signature

12/9/15  
 \_\_\_\_\_  
 Date



**Professional Certification**  
 I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.  
 Licence No.: 35287  
 Expiration Date.: 01-07-16

<b>Montgomery County Review:</b>	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<i>[Signature]</i>
Date:	<u>2/29/16</u>

Form Reformatted:  
 March, 2000