



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MEMORANDUM**

**DATE:** September 19, 2002  
**TO:** Montgomery County Planning Board  
**VIA:** Joseph R Davis, Chief  
 Michael Ma, Supervisor *Ma*  
 Development Review Division  
**FROM:** Mary Beth O'Quinn *mbag*  
 Planning Department Staff  
 (301) 495-1322



**REVIEW TYPE:** Site Plan Review  
**APPLYING FOR:** 266,146 square feet, including 180 residential housing units, plus optional retail mezzanine space of 6,194 square feet

**PROJECT NAME:** Arlington East  
**CASE #:** Site Plan #8-02035 with Preliminary Plan 1-99088  
**REVIEW BASIS:** 59-D-3, Site Plan and 59-C-4.351

**ZONE:** C-2  
**LOCATION:** Bounded by Arlington Road, Bethesda Avenue, Elm Street

**MASTER PLAN:** Bethesda CBD Sector Plan  
**APPLICANT:** Federal Realty Investment Trust  
**FILING DATE:** July 30, 2002

**HEARING DATE:** September 26, 2002

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**STAFF RECOMMENDATION:** Approval of 266,146 square feet, including 180 residential housing units of which there are 23 MPDUs, plus optional retail mezzanine space of 6,194 square feet, subject to the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A.
2. Conditions of MCDPS stormwater management concept approval dated June 3, 1999.
3. Conditions of MNCPPC Transportation Planning Division memo dated September 20, 2002, including:
  - a. Limit the development to 180 housing units and 65,000 sf retail space;
  - b. Provide 40 feet of right-of-way from the centerline of Arlington Road
  - c. Provide 30 feet of right-of-way from the centerline of Elm Street;

- d. Provide 30 feet of right-of-way from the centerline of Bethesda Avenue;
  - e. Widen Arlington Road to provide five lanes and 50-foot pavement width with the center lane for left turn movements;
  - f. Prohibit left-turn movements from the garage onto Elm Street;
  - g. Provide a vehicular drop off area on Arlington Road and maintain a safe and consistent 15-foot pedestrian passageway in front of the building by recessing the building (6 feet recess) for the full length of the drop off area.
4. Conditions of MC DPWT memo of September 20, 2002. (*forthcoming*)
  5. Conditions of MNCPPC Environmental Planning, dated June 3, 2002, including:
    - a. Demonstrate that the interior noise level is less than or equal to 45 dBA Ldn based on noise generated from Arlington Road and/or Festival Street;
    - b. Provide program and/or details for controlling noise levels generated by stationary sound sources such as heating/ventilation systems, fresh air intakes, and commercial exhaust systems to acceptable levels;
    - c. Demonstrate that activity from Festival Street shall be controlled to achieve compliance with the county noise ordinance (Chapter 31B).
  6. Provide the additional environmental "quality of life" controls as follows:  
Limit deliveries and loading on Festival Street to the hours after 8:00 am weekdays and 10:00 am on weekends, and no later than 8:00 pm; limit the locations for garbage/trash pickup to the wet-and-dry trash loading docks provided on the Elm Street frontage.
  7. Zoning Conformance: Parking  
Provide correct number of parking spaces based on restaurant and retail use square footage as shown on the signature set plan;

## DESIGN CONDITIONS

Prior to signature set approval of the site/landscape plans, the following revisions shall be made and/or information provided, for review and approval by planning staff:

9. General Information
  - a. Show PUE, PIE, easements, ROWs, road information to include dimensions, pavement markings, signals, centerlines, left turn lanes;
  - b. Include wall height and materials of the roof top mechanical space. A note shall be added to the plans which states that all roof-mounted mechanical equipment shall be screened from view of nearby buildings and that noise associated with such equipment shall be mitigated to within the limits set forth in the noise ordinance.
10. General Streetscape
  - a. Provide street trees at 4"- 4.5" caliper at the time of planting;
  - b. Provide the amended soil panel for all street trees, or soil panel acceptable to staff, including both tree rows on double-row streets, except where there are existing trees to be preserved;
  - c. Remove benches from right-of way.
11. Vehicular Drop Off Design and Building Entrance
  - a. Provide brick paving for the entire drop off area with a flush-grade concrete band continuation of the street curb line; provide granite curbing for the indented curb, compatible in color to the Bethesda streetscape palette;

- b. Reduce the length of the drop-off to 40 feet;
  - c. Add an additional street tree at the north end of the drop off, with tapered tree grate fitted within the curb flare; provide matching tree grate for the street tree at the south end of the drop off;
  - d. Provide Bethesda Streetscape paving within the recessed building entrance to indicate public passage area;
  - e. Provide documentation that drop-off area will be covered by the Maintenance and Liability Agreement with Bethesda Urban Partnership.
12. Streetscape: Arlington Road
- a. Realign both north and south cross walks across Arlington Road to the new Giant site to achieve a 90-degree alignment;
  - b. Provide planters for the north terrace to coordinate with those on south terrace;
  - c. Provide details for the “Found Object,” including materials and mounting;
  - d. Provide detail section of the streetscape showing the retail storefront edge, the sidewalk slope, the tree planting area, the curb and roadway.
13. Streetscape: Festival Street
- a. Show details of residential, loading and delivery entrances;
  - b. Provide typical planting details for café zones and planters; show planter to scale;
  - c. Provide “No Standing” and “No Parking” signs.
14. Streetscape: Bethesda Avenue
- a. Show finalized lane dimensions and alignment for ingress/egress to public garage from Bethesda Avenue; provide landscaping plan for open space adjoining garage entrance/exit; include shade trees within plantings;
  - b. Show two 90-degree aligned crosswalks across Bethesda Avenue, connecting to the existing Boston Chicken site; realign proposed crosswalks to 90-degrees;
  - c. Provide brick paving across the garage entrance/exit, subject to DPS and DPWT review and approval;
15. Streetscape: Elm Street
- a. Retain curb radius as shown on landscape plan, to maximize pedestrian safety;
  - b. Provide details for garage doors or entrances to loading docks and trash pickup facilities;
16. Housing: MPDUs
- Provide by signature set, a chart showing the proposed numerical distribution of MPDU unit types, with the typical location for each MPDU unit type;
17. Recreation
- a. Provide details for chairs, benches and tables for the outdoor Community Terrace.
  - b. Label the south terrace as “Residents Recreation Amenity Space;” provide referenced note on the site plan and landscape plan.
  - c. Show railings, drainage, surface materials and any other safety features for Community Terrace
18. Lighting, Power, Signage
- a. Provide performance specifications for all wall mounted exterior lighting on elevations;

- b. Provide performance specifications for outdoor lighting fixtures;
- c. Provide specifications for exterior building lighting at garage entrances, garage stairwells, loading docks, building entrances;
- d. Provide lighting distribution plans for the garage;
- e. Provide documentation on hours of operation of night lighting on Festival Street; show that the lighting provided will not trespass to housing units above or neighboring residences.

## **SUMMARY OF ISSUES REVIEWED FOR SITE PLAN**

### **The Pedestrian Safety and Public Space**

The applicant proposes a vehicular drop off at the residential building entrance along Arlington Road. Staff regards such features in the public realm with great concern for their intrinsic intrusion on pedestrian movement and safety, interference with public space within the right-of-way, discouragement of the use of alternate forms of transportation, and the obvious conflict with the pedestrian-predominant character of the Bethesda CBD.

However, in view of the applicant's statement of necessity and the financial viability of the project, staff views the allowance of the drop off with the following limitations: smallest feasible dimensions (40 feet in length), brick paving for the entire drop off area, granite curbing, and the recess of the building façade for the entire length of the drop off. These conditions will allow a full 15-foot sidewalk passage at the building entrance and one additional street tree on the Arlington Road frontage. The applicant has submitted a sketch for the revised design (see attachment).

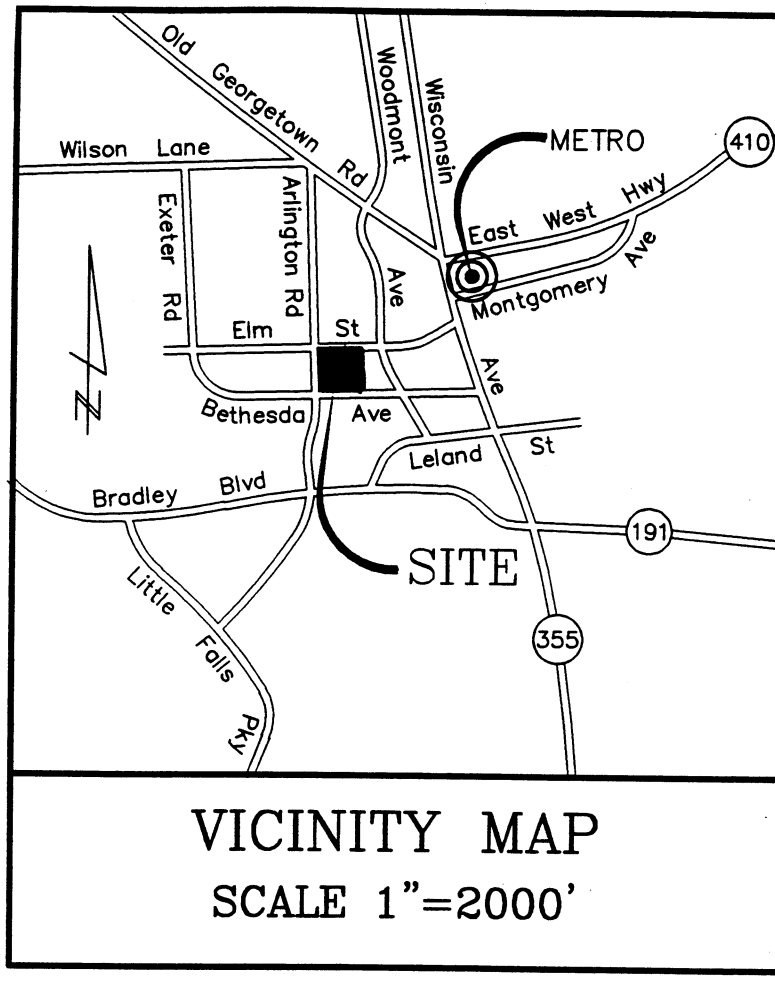
### **MPDU's**

The applicant has amended the site plan application to provide all MPDUs on site instead of a fee-in-lieu provision of moderately priced housing; staff recommends that the signature set indicate the numerical distributions of the unit types and the typical floor locations of the units allocated to the MPDU program.

**PROJECT DESCRIPTION: Surrounding Vicinity**

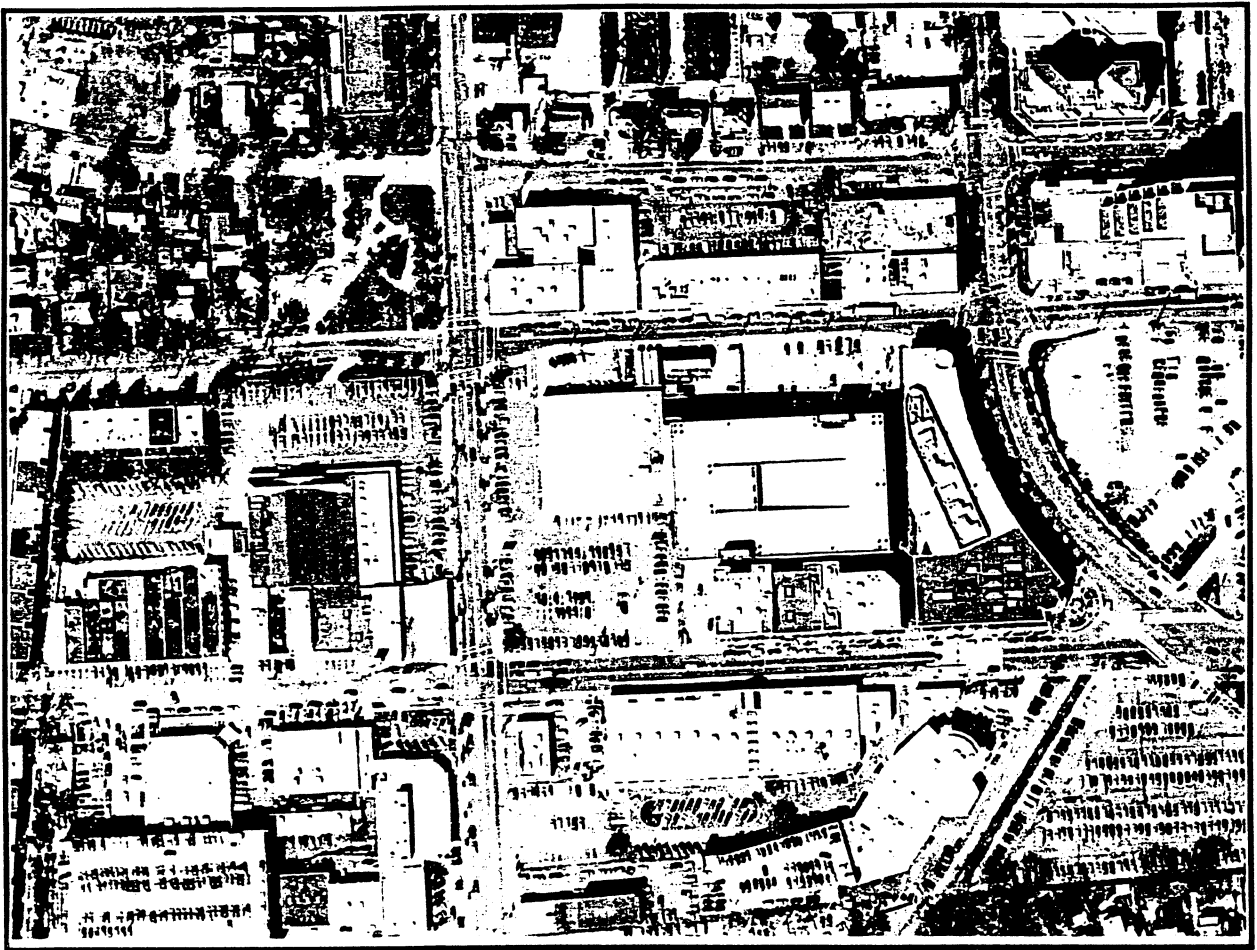
The site, located in the central business district of Bethesda forms the western edge of the district. Bounded by Arlington Road, Bethesda Avenue, and Elm Street, this site, “the backside of Woodmont,” currently supports the existing Giant supermarket. The Public Parking Garage adjoins the site along the eastern property line, with its entrance and exit on Bethesda Avenue

Across Arlington to the west is the “new” Giant store, under construction at the time of this review. One block to the north on the east side of Arlington Road is the Caroline Freeland Park and the Public Library. The block to the south, across Arlington is occupied by the Euro Motors dealership.

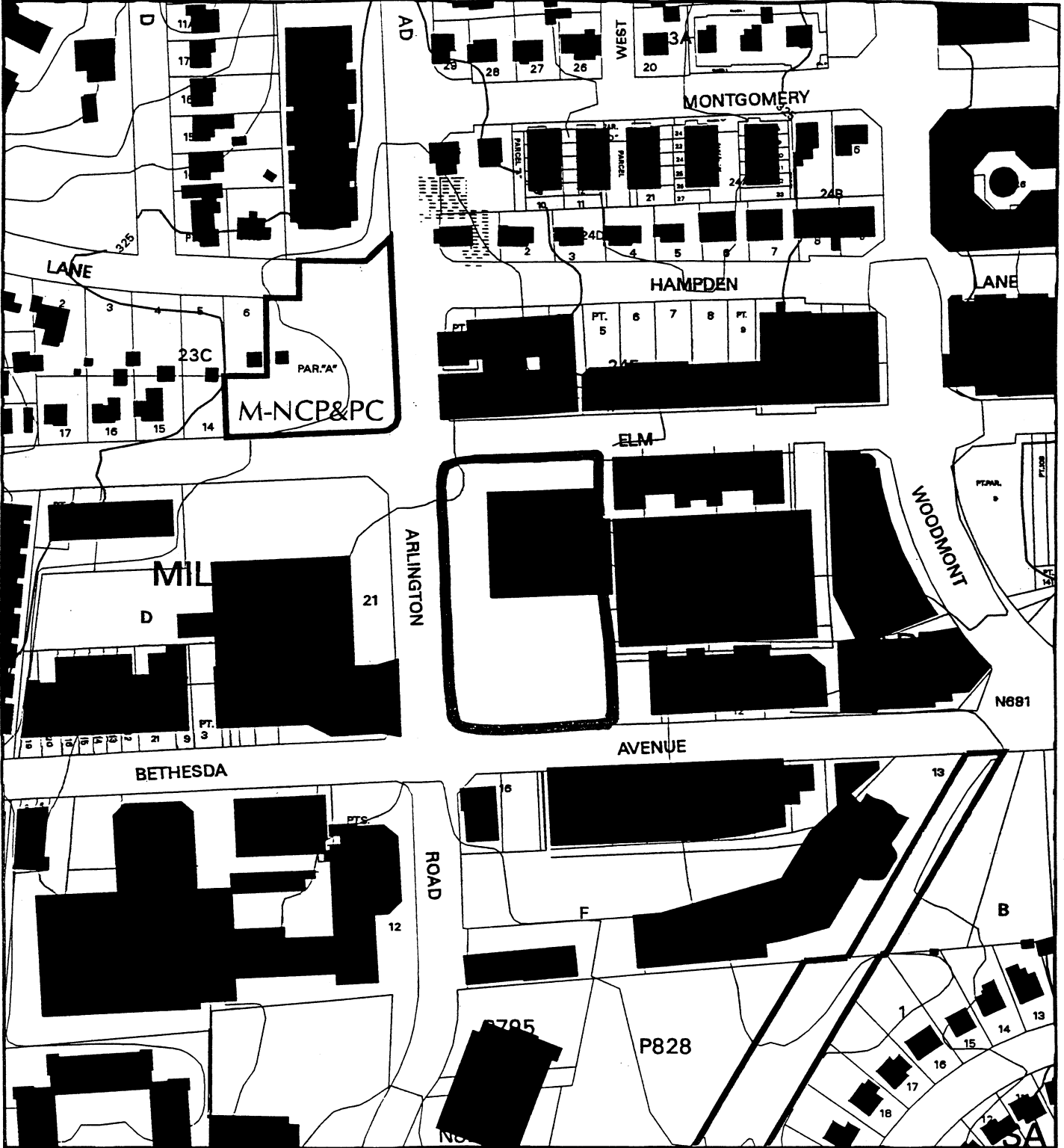


## PROJECT DESCRIPTION: Site Description

The site contains the existing Giant Food Store, which is set back from the street approximately 50 feet, occupying the northeast quadrant of the parcel. The remaining area is relatively flat, and is covered with surface parking that serves the supermarket. There are currently three vehicular driveways that provide entrance and egress. A WSSC easement area lies adjacent to the site along the southeast property line near the entrance to the public parking facility.



VICINITY MAP FOR  
**ARLINGTON EAST (1-99088/8-02035)**



Map compiled on September 20, 2002 at 9:53 AM | Site located on base sheet no - 209NW05

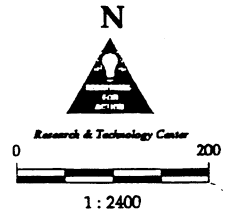
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Key Map





## **PROJECT DESCRIPTION: Proposal**

The Site Plan for Friendship Place proposes a mixed-use development including ground floor retail and restaurant space, with residential housing on the floors above. The entire development will be constructed as a substantial urban form that forms a defining edge of the CBD, provide internal open space, and underground parking garage for residents. Special streetscape along all of the surrounding streets will be the main public amenity features provided by this development.

### Housing

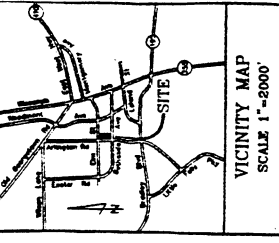
The 180 units of housing features loft apartments located with the linear structure that lines the east side of Festival Street. These loft units will comprise a variety of unit types—one and two bedroom units. The apartments located in the structure facing Arlington Road will include 64 one-bedroom units, 8 one-bedroom and den units, 60 two-bedroom units. The applicant proposes to provide all of the MPDUs (23 units) on site. The applicant proposes provided 50% of required MPDUs on site, with the remaining required units funded through the office of DHCD.

### Retail

The plan proposes approximately 60,000 sf of retail space: 40,000 sf general retail, and 8,000 indoor restaurant spaces, 2,800 outdoor restaurant space. The mix is somewhat fluid and will be determined upon leasing conditions at the time of building permit. The proposal is committed to the mixed-use retail space for the frontage on Arlington Road and Bethesda Avenue and within the internal Festival Street.

### Vehicular Access and Parking

The main vehicular access to the proposed development is through a single driveway leading to the 2-level underground garage via Elm Street. The garage features a significant proportion of tandem parking spaces. Although parking is not provided for the retail uses on site, the property lies within the parking district, and is subject to parking district fees. Loading and trash pick-up will be provided via four truck bays on Elm Street. The applicant proposes a vehicular drop-off for the residential entrance on Arlington Road.



PROPERTY INFORMATION	DATE	DESCRIPTION	REMARKS
1. Easement	12/15/11		
2. Easement	12/15/11		
3. Easement	12/15/11		
4. Easement	12/15/11		

1. The building is to be built on the site shown on the site plan.
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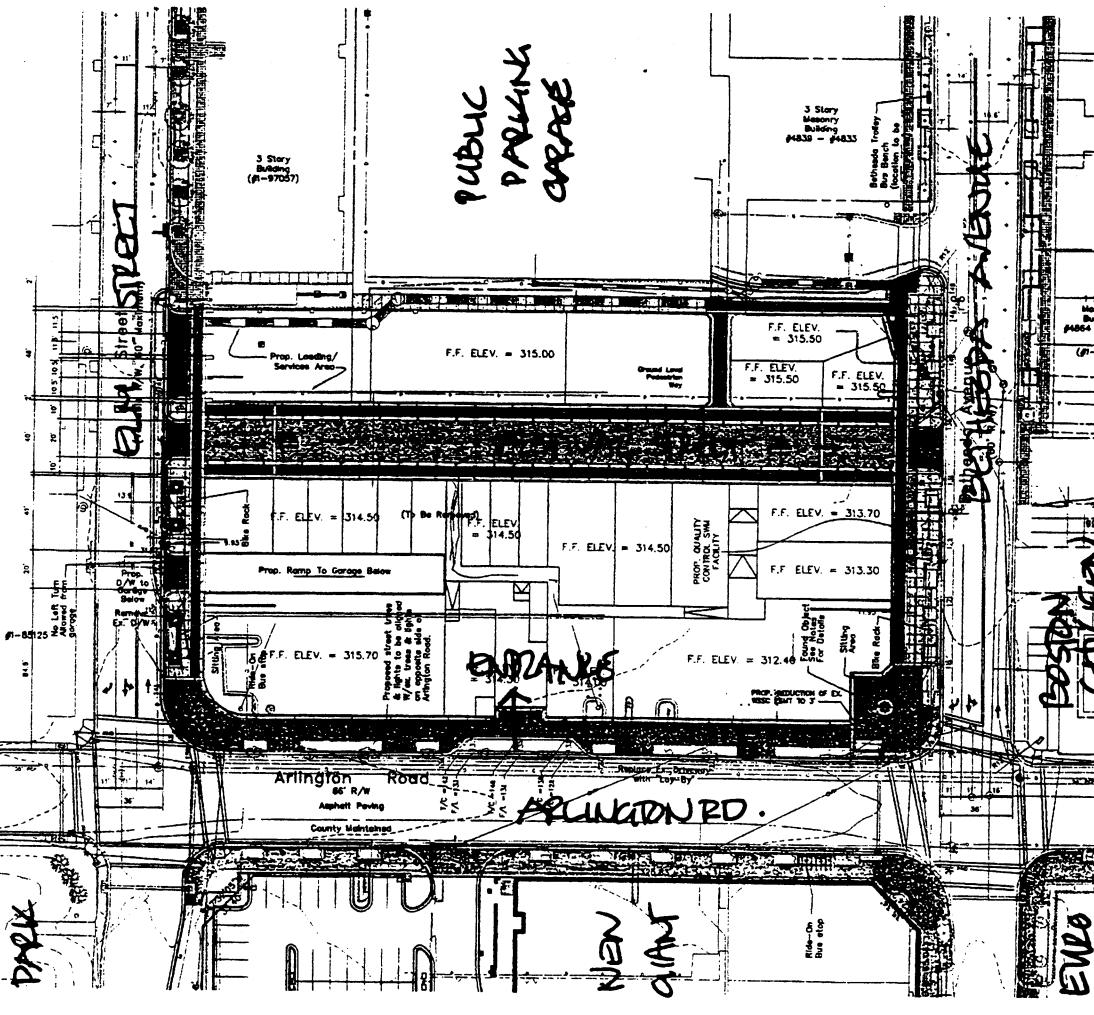
11520 WOODBURN AVE. #112

**SITE PLAN**  
MILLER'S ADDITION TO BETHESDA  
**ARLINGTON EAST**  
Proposed Lot 4, Block C  
7TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

**MGP**  
Macris, Hendricks & Glascock, P.A.  
Engineers & Planners & Surveyors  
4770 Wisconsin Ave  
Suite 1000  
Washington, DC 20007  
www.MHPA.com

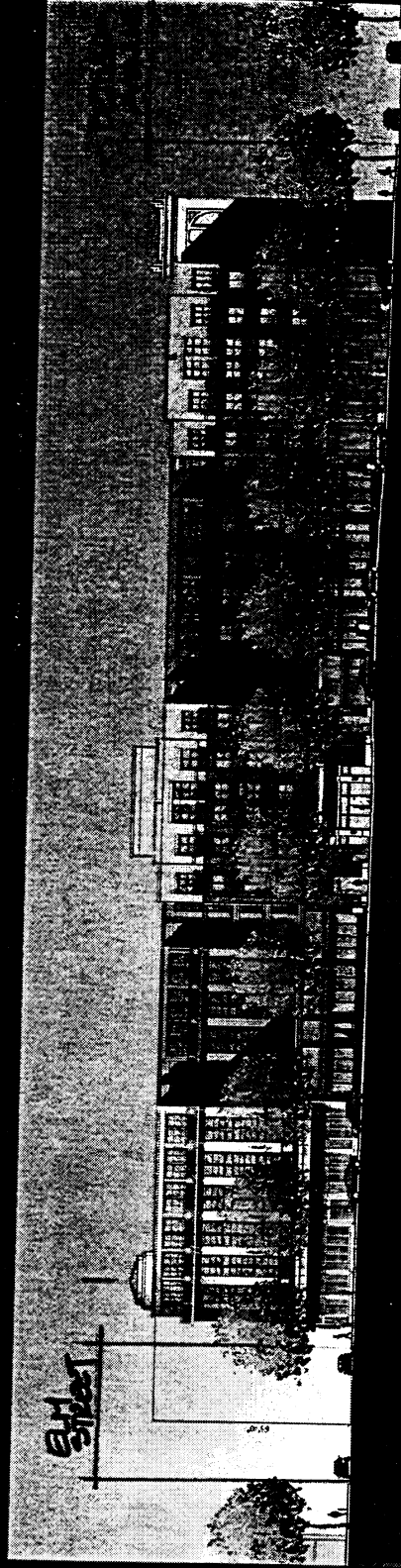
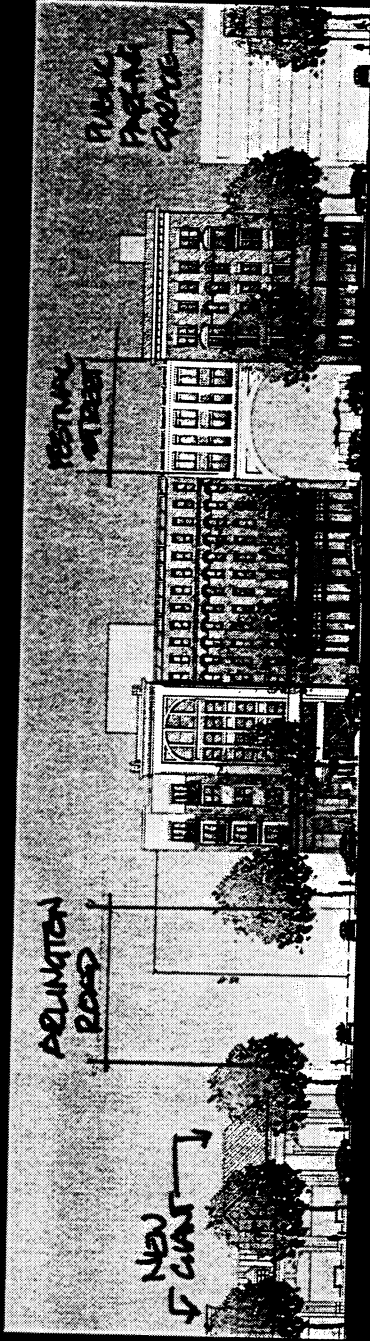
Drawn	3/19/11
Check	8/30/11
Designed	6/22/11
Scale	AS SHOWN
Date	8/31/11
Sheet No.	531-109

MSDC 2008 REC 03



- NOTES:
1. THE TREES AND LIGHT FIXTURES ON-SITE OR IN THE VICINITY SHALL BE MAINTAINED AND PROTECTED TO THE MAXIMUM EXTENT POSSIBLE. FACILITATE APPROVAL OF THE LIGHT FIXTURE LOCATION THROUGH THE CITY ON LOCATION IS A REQUIREMENT. THE APPLICANT MAY INSTALL LIGHT FIXTURES WHERE NECESSARY TO SAFELY ILLUMINATE THE PROJECT WITHOUT DELAY.
  2. THE FOUND OBJECT WILL BE OF A DESIGN TO ENHANCE AND COMPLEMENT THE PROPOSED ARCHITECTURE. IT WILL FIT IN A 9" DIAMETER AREA AND WILL BE UNDER 20" IN HEIGHT. IT MAY BE BUILT AND NOT REQUIRED TO BE LIMITED TO METAL, STONE, CONCRETE, AND WOOD.

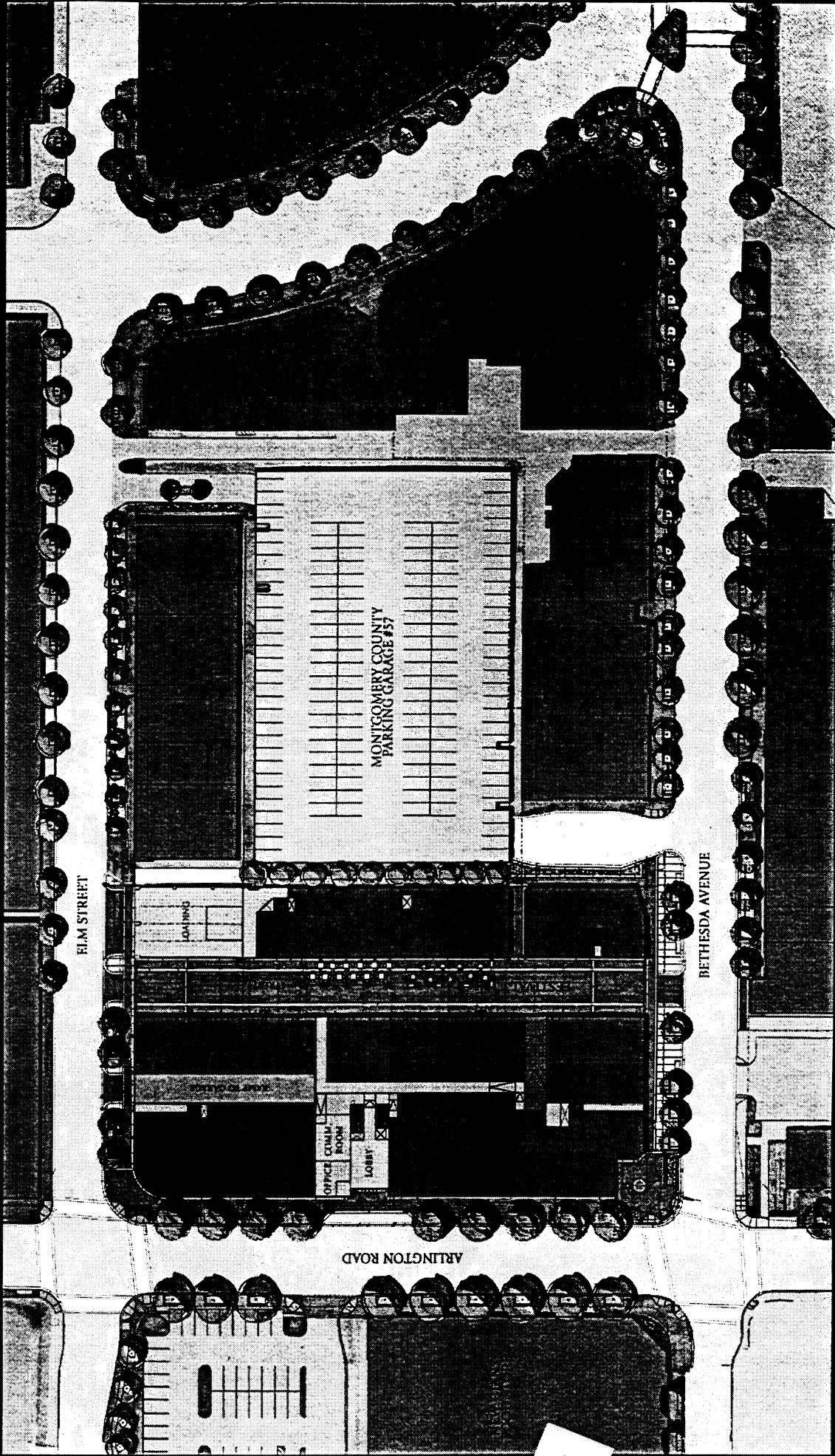




Elevations



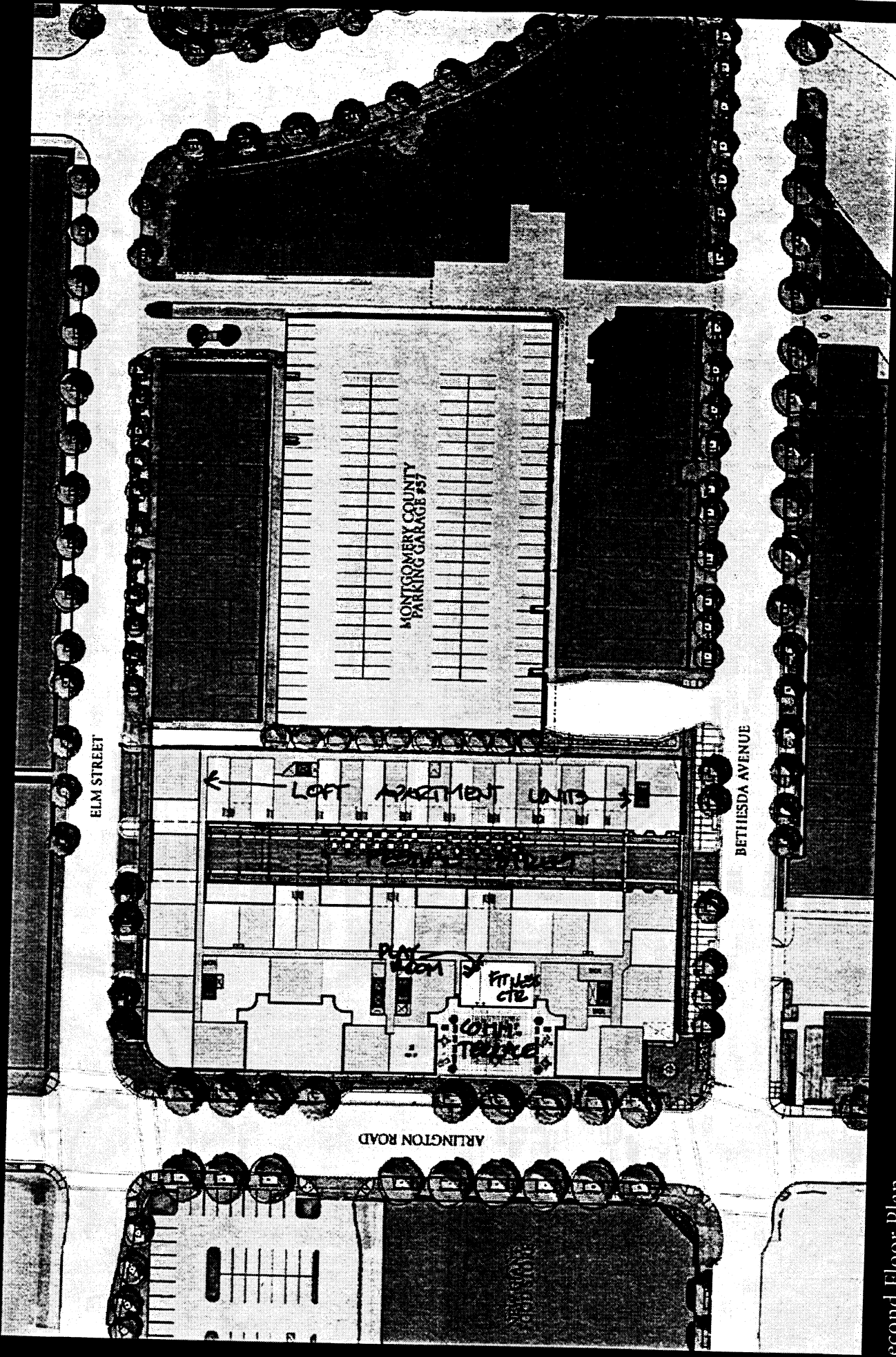
# ARLINGTON EAST



Block Plan



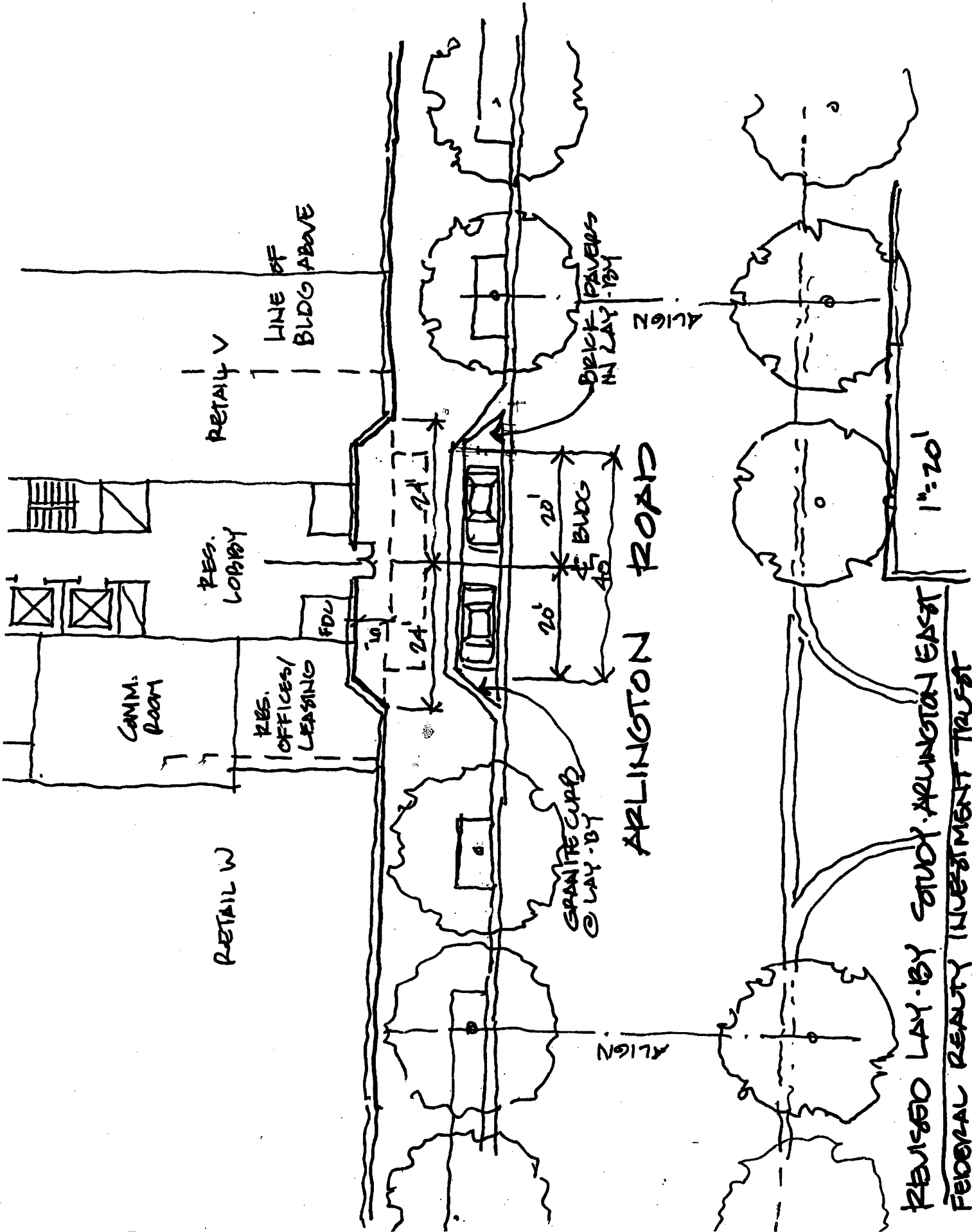
# ARLINGTON EAST



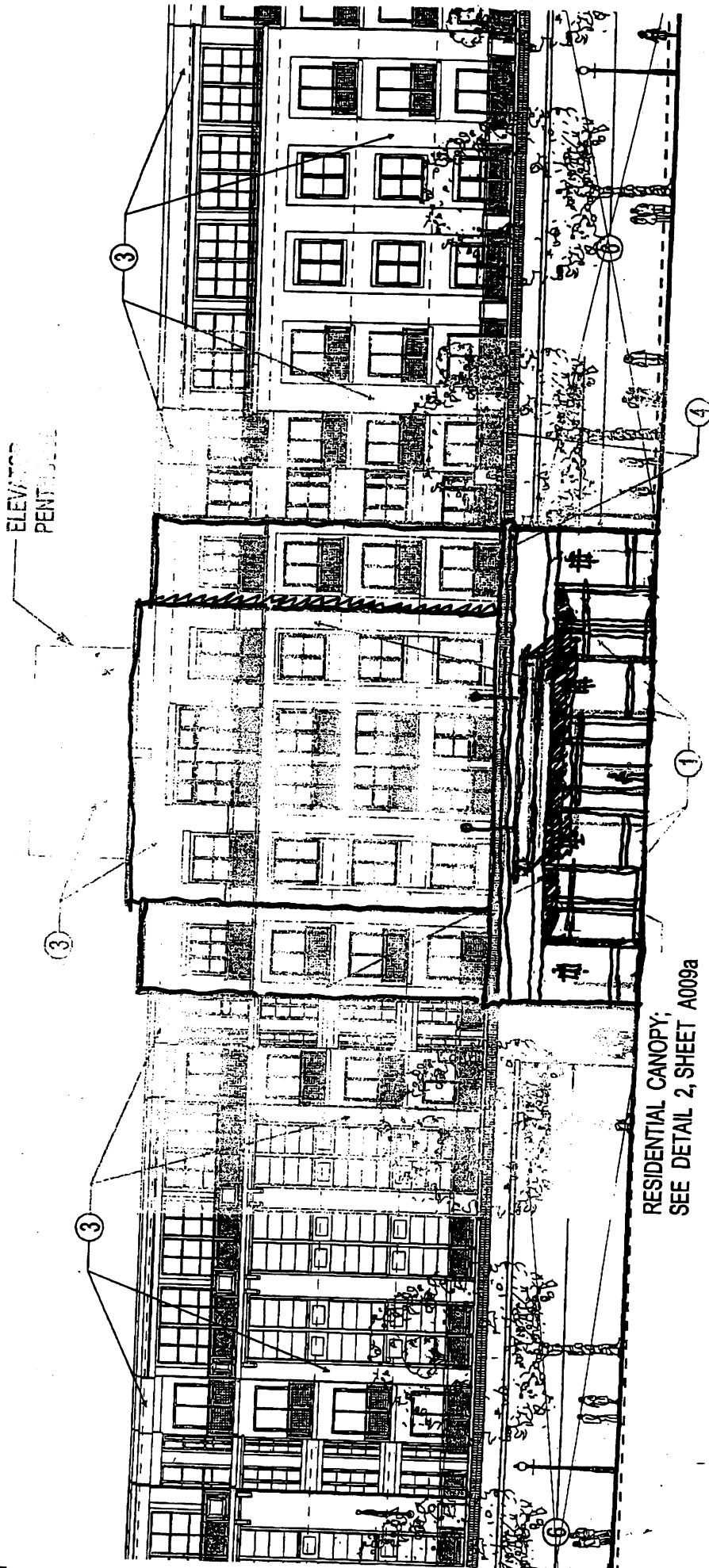
Second Floor Plan

# ARLINGTON EAST





REVISED LAY-BY STUDY, ARLINGTON EAST  
 FEDERAL REALTY INVESTMENT TRUST  
 TERRY GAULDS AND PARTNERS, CHP 9.19.02



# ARLINGTON ROAD ELEVATION

REVISE LAYBY / ENTRY STUDY · ARLINGTON EAST 1"=20' 0"  
 FEDERAL REALTY INVESTMENT TRUST  
 TOTT GUNAS : PARTNERS · CHK 9.10.02

**PROJECT DESCRIPTION: Prior Approvals**

The proposal was the subject of Zoning Text Amendment 01-08 [Section 59-C-4.351] approved by the Planning Board October 1, 2001 and adopted by the County Council on November 6, 2001 [Ordinance No. 14-43].

Zoning Text Amendment 02-04, initiated in response to the Text Amendment 01-08, was denied by the Planning Board on June 6, 2002. The Council adopted the amendment on July 30, 2002, with modifications to further limit the locations of such mixed use projects: requirement for adjacency to a garage of greater than 50 feet in height; building height not to exceed 65 feet; use must be on a site larger than 1.5 acres. The effective date was 8/19/02. [Ordinance No. 14-54].

The Preliminary Plan 1-99088 was reviewed in June 1999; however the plan was not considered at hearing; therefore, the Preliminary Plan 1-99088 and the Site Plan 8-02035 will be heard concurrently at this time.



## **ANALYSIS: Conformance to Master Plan**

The subject site is located in the Bethesda CBD Sector Plan area and discussed as part of the Arlington Road District. The Sector Plan confirms the C-2 zoning of the site. This area is characterized as, “linear strip shopping along Arlington Road, with an emerging “main street” character along Bethesda Avenue.” The Plan states that the crossroads of Bethesda Avenue and Arlington Road have the potential to develop as the center of the District. Plan objectives are:

1. Preserve and enhance the Arlington Road District as a community retail and service business area.
2. Concentrate redevelopment along Bethesda Avenue, with special focus at the intersection of Bethesda Avenue and Arlington Road as the center of the district.
3. Continue the “main street” shopping character along Bethesda Avenue, consistent with recent development.
4. Protect the surrounding residential areas from commercial intrusions by directing growth away from the edges and by providing lower densities, appropriate uses, and landscaped buffers at the residential edges.
5. Improve traffic circulation, pedestrian safety, amenities, and convenience.
6. Provide additional housing and reduce the potential for additional employment away from the Metro Core.

In addition to these objectives, the Plan recommends the following urban design guidelines for Arlington Road and Bethesda Avenue:

1. Develop low-rise commercial or mixed-use buildings with storefront retail located directly adjacent to the public sidewalk.
2. Develop interconnected vehicular circulation routes between parcels, where feasible, to improve local vehicular access and reduce congestion. Provide outside parking and service areas in the rear of properties.
3. Expand pedestrian connections between parcels to promote walking and reduce the number of vehicular shopping trips.
4. Set corner buildings back at least 20 feet front the curb radius in redevelopment of parcels bordering the intersection of Arlington Road and Bethesda Avenue to create an open space for pedestrians and a center for the District.
5. Provide pedestrian access to the public parking garage to the east in any redevelopment of the Giant site.

The subject application is generally consistent with the Sector Plan objectives and recommendations with the exception to the building height limit. The Sector Plan gives the guideline of 42 feet in height for the block between Elm Street, Arlington Road, Bethesda Avenue, and Woodmont Avenue. The existing public parking structure on this block already exceeds the recommended height at 60 feet. The block to the north across Elm Street is recommended for a maximum of 65 feet in height. The blocks to the south and west are in conformance with the recommended 42 feet.

Staff supports deviating from the Sector Plan height guidelines for this site and finds that allowing 65 feet in height along Arlington Road is acceptable as a means to accomplish the mixed-use and housing objectives of the Plan. The proposed height along the western property boundary is acceptable as it is adjacent to the public parking garage and will not be seen from Arlington Road street level or the residential community to the west.

This project will not introduce commercial encroachment into the residential community and will add a desirable residential component to the retail and commercial activity in the Arlington Road District. Allowing the residential development on this site will eliminate the potential of additional office development competing with Metro Core District. The residential development will be within easy walking distance to the Metro Station.

The Site Plan conforms to these general Sector Plan objectives by achieving the following:

- Preserve and enhance the Arlington Road District as a community retail and service business area
- Concentrate redevelopment on Bethesda Avenue, with focus at the intersection of Bethesda Avenue and Arlington Road as the center of the district
- Continue the Main Street shopping character along Bethesda Avenue
- Improve traffic circulation, pedestrian safety, amenities, and convenience
- Provide additional housing and reduce the potential for additional employment away from the Metro Core

## ANALYSIS: Conformance to Development Standards

### Arlington East Site Plan 8-02035

### C-2 Zone Standard Method

<u>Development Standard</u>	<u>Permitted/Regd</u>	<u>Proposed</u>
<b><u>Density</u></b>		
Floor Area 59-C-4.352		
Commercial	1.00 FAR (108,936 sf GFA)	0.55 FAR (60,000 sf GFA)*
Restaurant		8,000 sf indoor
Restaurant		2,800 sf outdoor
General Retail		40,000 sf
Overall Density	2.50 FAR (272,340 sf GFA)	2.50 FAR (272,340 sf GFA)
Green Area 59-C-4.354	10% min (10,894 sf)	12.7% (13,814 sf)

### **Setbacks**

Elm Street frontage	10 feet	10 feet
Arlington Road	0 feet	4 feet
Bethesda Avenue	0 feet	12 feet
Side & Rear	0 feet	0 feet

**Building Height 59-4.351)**      65 feet      65 feet (5 stories)

### **Residential Unit Type**

Loft Units - 1 Bedroom		44 units
Loft Units - 2 Bedrooms		4 units
1 Bedroom		64 units
1 Bedroom & Den		8 units
2 Bedroom		46 units
2 Bedroom & Den		14 units
<b><u>Subtotal units</u></b>		<b>180 units</b>

### **Commercial Parking**

General Retail	5 spaces/1,000 sf	0 spaces
Restaurant Indoor	25 spaces/1,000 sf	0 spaces
Restaurant Outdoor	15 spaces/1,000	0 spaces
<b><u>Total Commercial Parking</u></b>	<b>442 spaces</b>	<b>0 spaces **</b>

### **Residential Parking**

1 Bedroom	1.24 spaces/du (108 units) = 135 spaces	
2 Bedroom	1.5 spaces/du (72 units) = 108 spaces	
<b><u>Total Residential Parking</u></b>	<b>243 spaces</b>	<b>240 spaces **</b>

\* Maximum 65,000 sf Retail/Restaurant Space

\*\* 433 spaces will be provided off-site in accordance by parking lot district

## ARLINGTON EAST RECREATION CHART

<b>DEMAND POINTS</b>	<b>Tots</b>	<b>Children</b>	<b>Teens</b>	<b>Adults</b>	<b>Seniors</b>
<i>per 100 units</i>					
Hi-Rise		4	4	4	77
<i>Hi-rise = 180 units</i>					
<b>PROJECT DEMAND</b>	<b>7.2</b>	<b>7.20</b>	<b>7.20</b>	<b>138.60</b>	<b>82.80</b>
<b>SUPPLY POINTS</b>	<b>Tots</b>	<b>Children</b>	<b>Teens</b>	<b>Adults</b>	<b>Seniors</b>
<i>per 45 units</i>					
<b>On Site</b>					
Picnic/Sitting (2)	2.00	2.00	3.00	10.00	4.00
Indoor Fitness Facility	0.00	0.72	0.72	27.72	20.79
Child Indoor Play Rm	6.00	9.00	12.00	31.00	2.00
Community Room	0.72	1.08	2.16	41.58	33.12
Outdoor Garden Terrace	0.72	0.72	0.72	13.86	8.28
<b>On Site Total</b>	<b>9.44</b>	<b>13.52</b>	<b>18.60</b>	<b>124.16</b>	<b>68.19</b>
<b>Off Site</b>					
Picnic & Sitting	1.00	1.00	15.00	5.00	2.00
Pedestrian System	0.72	1.44	1.44	62.37	37.26
Multiage Playground	9.00	11.00	3.00	7.00	1.00
<b>Off Site Total</b>	<b>10.72</b>	<b>13.44</b>	<b>19.44</b>	<b>74.37</b>	<b>40.26</b>
<b>SUPPLY/DEMAND RATIOS</b>	<b>Tots</b>	<b>Children</b>	<b>Teens</b>	<b>Adults</b>	<b>Seniors</b>
<b>On Site Ratio</b>					
<b>Off Site Ratio</b>	<b>1.31</b>	<b>1.88</b>	<b>2.58</b>	<b>0.90</b>	<b>0.82</b>
	<b>1.49</b>	<b>1.87</b>	<b>2.70</b>	<b>0.54</b>	<b>0.49</b>

## **FINDINGS for Site Plan Review:**

1. *The site plan is consistent with approved Zoning Text Amendment 01-08 for mixed-use development.*
2. *The site plan meets all of the requirements of the zone in which it is located.*

See Project Data Table above.

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

- a. **Locations of Buildings**

The buildings are arranged on the site with maximum efficiency to enhance the function, visual effect, and accessibility of each use. The placement of the retail and restaurants exclusively along confluence of pedestrian intensive areas of the Main Street, Bethesda Avenue, Arlington Road, and the new Festival Street, encourages pedestrian activation of the streets, both internally and externally to the site. The relationship between the two buildings creates a sophisticated urban complex with massing, open space, and internal street dimensions that will create an interesting, vital urban setting for residents and visitors alike. The new Festival Street will provide a critical linkage through the site while presenting a stimulating new retail typology for the Washington Metro Area.

- b. **Open Spaces**

The open spaces have been skillfully designed to provide a critical and effective contrast to the placement of the buildings while offering functional efficiency integral to the building program. The architect's treatment of scale and materials to create intimate and monumental spaces points to the future achievement of the activity intended for Festival Street and the CBD—and, as such becomes the single most effective component of the site's successful assembly.

- c. **Landscape and Lighting**

Landscaping and lighting is adequate, safe and efficient. Staff recommends that the streetscape on Arlington Road adhere to the Bethesda Streetscape standards, using Zelkova along Arlington Road, brick sidewalks, brick within the vehicular drop off. Lighting will be provided by the Washington Globe fixtures along Arlington Road. Festival Street will feature a special wire lighting grid with low voltage fixtures. Staff recommends that the lighting be reviewed at signature set, with consideration of the hours of operation to ensure that area residents are not subject to undue light trespass.

d. Recreation

Recreation is adequate and efficient. The applicant has proposed creative solutions to the challenges of achieving sufficient recreation amenities within denser urban block. The indoor fitness facility and children's playroom will provide useful and accessible activities for the residents. The community room on the ground floor offers meeting space and the opportunity for arts and crafts activities, while the garden terrace will provide attractive outdoor space for social events.

e. Vehicular and Pedestrian Circulation

The vehicular and pedestrian circulation proposed is thoughtfully engineered. Although the garage appears tight in space, and dependent on numerous tandem parking spaces, the system provides adequate, safe and efficient vehicular traffic patterns and vehicle storage.

Although staff carries serious reservations about the vehicular drop off on Arlington Road, the dimensions and streetscape treatment have been designed to minimize the impact on pedestrians to a reasonable extent. [See sketch attached for the revised design of the vehicular drop off.]

The streetscape proposed provides an attractive, and efficient pedestrian environment. Staff encourages the applicant to pursue the tightest possible turning radius for the curbs that surround the project, in keeping with CBD standards, to maximize pedestrian safety and to prevent any possible pedestrian accidents. In addition, staff recommends that the crosswalks be aligned in CBD fashion, and that the 90-degree handicapped ramps be provided at all corners.

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

The buildings and uses proposed offer a compatible and appropriate complement to the existing development within the CBD, and particularly with the development within the immediate area along Woodmont Avenue. The siting of the new Giant store offers an intermediary use and mass that modulates the scale of the Arlington East assembly at the west property line. In addition, the existing public parking structure on this block already exceeds the recommended height at 60 feet. The proposed height along the western property boundary is acceptable as it is adjacent to the public parking garage and will not be seen from Arlington Road street level or the residential community to the west.

This project within easy walking distance of the Metro Station presents the opportunity to finish and refine the streetscape along Arlington with improvements compatible with earlier approvals. The new typologies in retail space and the loft apartments may result in creative home-office ventures and related retail use that is contained within the site, yet offers benefits to the surrounding area, such as reduced use of automobiles, greater pedestrian activity, and enjoyment of local cultural events.

6. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The Site Plan is exempt from Forest Conservation requirements.

APPENDIX

- A. Standard conditions dated October 10, 1995

## **APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:**

1. Submit a Site Plan Enforcement Agreement, Development Program, and Homeowners Association Documents for review and approval prior to approval of the signature set as follows:
  - a. Development Program to include a phasing schedule as follows:
    - i. Street tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
    - ii. Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
    - iii. Landscaping associated with each building shall be completed as construction of each is completed.
    - iv. Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
    - v. Coordination of each section of the development and roads;
    - vi. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
  - a. Conditions of DPS Stormwater Management Concept approval (waiver) letter
  - b. The development program inspection schedule.
  - c. Street trees along all public streets;
3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
4. No clearing or grading prior to M-NCPPC approval of signature set of plans.





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

September 18, 2002

**MEMORANDUM**

TO: Richard Weaver, Planner/Coordinator  
Mary Beth O'Quinn, Planner  
Development Review Division

VIA: Ronald C. Welke, Supervisor  
Transportation Planning

FROM: Shahriar Etemadi, Coordinator SE  
Transportation Planning

SUBJECT: Preliminary Plan # 1-99088 and Site Plan # 8-02035, Arlington East  
in Bethesda Central Business District

---

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject application

**RECOMMENDATION**

Transportation Planning staff recommends the following conditions as part of the requirements related to the approval of this Preliminary and site plan.

1. Limit the development to 182 housing units and 65,000 square feet of retail.
2. Provide 40 feet of right-of-way from the centerline of Arlington Road.
3. Provide 30 feet of right-of-way from the centerline of Elm Street.
4. Provide 30 feet of right-of-way from the centerline of Bethesda Avenue.
5. Widen Arlington Road to provide five lanes and a 50-foot pavement width with the center lane for left-turn movements.

6. Prohibit left-turn movements from the garage onto Elm Street.
7. Provide a "drop off" area on Arlington Road and maintain a safe and consistent 15-foot pedestrian passageway in front of the building by recessing the first floor of the building for the full 70 feet length of the "drop off" area.

## DISCUSSION

### Local Area Transportation Review (LATR)

A traffic study was prepared in July 2001 and a subsequent updated study was submitted to Transportation Planning staff in April 2002 for this preliminary and site plan. The updated study was based on the change in the scale of the development proposed on this site. These studies evaluated the impact of the proposed development on the local area transportation system.

Nine intersections were analyzed and the results indicate that all intersections are and will continue to operate within the congestion standard of 1,800 Critical Lane Volume (CLV) for the Bethesda CBD. The analysis included a combination of the existing traffic, the background traffic (approved but un-built development in the area) and the trips generated from the site.

The following table shows the results of the intersection analysis.

INTERSECTION	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
Old Georgetown Road/Arlington Road/St. Elmo Avenue/Wilson Lane	1522	1335	1610	1452	1617	1466
Old Georgetown Road/Woodmont Ave.	807	1055	871	1139	873	1145
Arlington Road/Elm Street	642	863	677	971	704	1020
Woodmont Avenue/Elm Street	403	643	445	700	481	764
Wisconsin Avenue/Elm Street	908	989	996	1127	1013	1151
Arlington Road/Bethesda Avenue	795	870	834	969	836	978
Bethesda Avenue/Woodmont Avenue	484	691	602	927	612	927
Wisconsin Avenue/Woodmont Ave/Leland Street	795	804	843	824	851	854
Arlington Road/Bradley Boulevard	830	1102	882	1097	887	1113

### Access and Circulation

The proposed access to the garage below the building is provided on Elm Street. "One-way" circulation in the direction of north to south is provided below the residential buildings within the site. Prohibition of left-turn movements from the garage onto Elm Street will provide for safe vehicular and pedestrian traffic movements on Elm Street and Bethesda Avenue adjacent to the site. An adequate pedestrian and bicycle friendly area will be provided along Arlington Road, Elm Street and Bethesda Avenue as called for in the Bethesda CBD Sector Plan.

Staff supports the proposed "drop off" area on Arlington Road provided that at least the first floor of the building is recessed to maintain a minimum of 15 feet pedestrian passage way for the entire 70 feet length of the "drop off" area. This will reduce the potential traffic congestion on Arlington Road in front of the building as through traffic would be blocked by standing vehicles at the curb if the "drop off" were not provided.

### Policy Area Review/Staging Ceiling Analysis

The site is located within the Bethesda CBD policy area, which has a remaining capacity of 848 jobs and 594 housing units as of August 1, 2002.

SE:cmd

PP 1-99088 & SP 8-02035 Arlington East Beth CBD.DOC

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES  
WATER RESOURCES SECTION**

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: June 3, 2002

MEMO TO: Larry Ponsford, Site Planner  
Development Review Committee, MNCPPC

FROM: Blair Lough  
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100 yr.Floodplain Review  
Site Plan # 8-02035 , Arlington East  
Project Plan #  
Preliminary Plan # 1-99088 , DPS File # 1-99088  
Subdivision Review Meeting of June 3, 1999

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 5-90 for stormwater management and Executive Regulation 108-92 AM for floodplain. The following summarizes our findings:

**SM CONCEPT PLAN PROPOSED:**

- On-site:  Quantity  Quality  Both  
 On-site/Joint Use  Central (Regional): waived under 2.a.2.b.  
 Existing  Concept Approved June 16, 2002
- Waiver:  Quantity  Quality  Both  
 Approved on June 16 1999
- Exempt  Other

**Type Proposed:**

- Infiltration  Retention  Surface Detention  Wetland  Sand Filter  
 Separator Sand Filter  Other

**FLOODPLAIN STATUS:** 100 Year Floodplain On-Site  Yes  No  Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:  
 Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.  
 Dam Breach Analysis/100 yr.floodplain study:  Approved  Under Review :

**SUBMISSION ADEQUACY COMMENTS:**

- Adequate as submitted.  
 Provide verification of Downstream notification .

**RECOMMENDATIONS:**

- Approve  as submitted  with conditions (see comments below).  
 Incomplete; recommend not scheduling for Planning Board at this time.  
 Hold for additional information. See below  
 Comments/Recommendations: ~~Show and label swm facilities on the site plan~~; Site is subject to the new swm law sec.19-32 ; transition of previoully approved swm concepts.

cc: Steve Federline, Environmental Planning Division, MNCPPC  
MH&G

bll DRC site plan.03/01

EPD Recommendation to Dev Rev Div: XXX Approve w/conditions as noted below

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATIONS

TO: Larry Ponsford/Mary Beth O'Quinn  
Development Review Division

SUBJECT: Plan # 8-02035, Name Arlington East  
DRC date: June 3, 2002

The above-referenced plan has been reviewed to determine if it meets requirements of the Guidelines for Environmental Management of Development in Montgomery County, and other county regulations that may apply. The following recommendations are made for the DRC meeting:

SUBMITTAL ADEQUACY

XX Plan is complete. (see recommendations below)

XXX **Forest Conservation:** An exemption from forest conservation requirements was granted on 3/12/02 per NRI/FSD # 4-02046E as a modification to an existing developed property. (See attached exemption letter dated 3/12/02).

EPD RECOMMENDATIONS:

XXX Approval with conditions: (see comments)

XXX Conditions of DPS SWM concept approval granted 6/19/99, as reconfirmed during this review.

XXX Applicant shall demonstrate that interior noise is  $\leq 45$  dBA Ldn based on noise generated from Arlington Road traffic.

XXX Comments: comments for staff/applicant consideration during site plan review:

- 1) Acoustical compatibility between different uses in the same structure (commercial/retail verses residential ?);
- 2) Any external stationary noise sources (e.g., heating/ventilation systems), and internal compatibility (e.g., fresh air intakes away from garage or commercial exhaust).

While the use of the "festival space" has the potential to create a noise nuisance, the County noise ordinance (Chapter 31B) has regulatory control over excessive noise. If needed, time and use restrictions could be applied to proactively control its use.

SIGNATURE:

  
Steve Federline, C/Wide Environmental Planning

DATE: 5/31/02

cc: engineer/applicant

**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
FOREST CONSERVATION RECOMMENDATIONS**

**TO:** Malcolm Shaneman, Development Review Division

**SUBJECT:** Project Name Pt. of Block C, Miller's Second Addn. to Bethesda NRI/FSD# 4-02046E

The above-referenced plan has been reviewed by the Environmental Planning Division to determine the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). A determination has been made that the plan qualifies for the following exemption:

**EXEMPTION:**

**Modification of Existing Developed Property** – no more than a total of 5,000 square feet of forest will be cleared; no forest clearing within a stream buffer or on property subject to SPA WQP requirements; and does not require new subdivision plan (see comments).

**This property is not subject to a Tree Save Plan.**

- Tree protection measures are required; sediment control permit should not be released until MNCPPC staff has approved the Tree Save Plan.
- MNCPPC inspector must be contacted for pre-construction inspection of tree protection measures and authorization to begin any tree clearing.

**This property is not within a Special Protection Area\*.**

\* Properties within a Special Protection Area (SPA) must submit a Preliminary Water Quality Plan. Contact Leo Galanko at MCDEP for information regarding the requirements (301-217-6323).

Comments The exemption is being granted although the modification includes a new subdivision plan (1-99088). This is because the new subdivision is not strictly needed as part of the modification/redevelopment of the site, but rather to refine parcel boundaries created as part of an agreement with the county. Through this agreement land was swapped to accommodate road improvements on Elm Street adjacent to parcel 664. Adjacent parcel 632 which was deeded to the applicant as part of this swap is now being joined to the original parcel. Absent county involvement in the land swap, the property would not qualify for this exemption.

Signature: \_\_\_\_\_

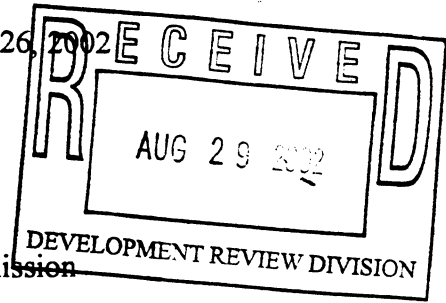
Cathy Conlon, Environmental Planning Division

Date: 3/12/02

cc: John Sekerak, MHG for the applicant (Fax 301-948-0693)

**WILLIAM R. DODGE**

August 26, 2002



To: Mary Beth O'Quinn  
Development Review Section  
Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

From: William R. Dodge *WD*  
Chair  
Edgemoor Community Association  
Ad Hoc Zoning Committee  
7112 Exfair Road  
Bethesda, MD 20814

Re: Site Plan #8-02035 -- The Newly Established Height Limit for the Project and Question Regarding Required Greenspace on Site

Please note that the newly established building height is 65 feet for the Arlington East Site in the Bethesda Central Business District, as established by Zoning Ordinance #14-54 (effective August 19, 2002). This is the site that Federal Realty Investment Trust is seeking Planning Board approval to redevelop according to their submitted Site Plan #8-02035.

In addition and as the adjacent neighborhood to this project, Edgemoor is interested in the issue of a required 10% greenspace area on the redeveloped site, a requirement mentioned by you to FRIT's Alex Inglesse and FRIT's attorney, Pat Harris, at the Development Review Committee meeting on June 3 of this year. Please inform me if any resolution has been reached between M-NCPPC and Federal Realty regarding inclusion of this required greenspace area in its site plan. I may be reached by telephone at 302-718-9676.

Thank you for your assistance in this matter.

Cc: Rich Weaver, Subdivision Review, M-NCPPC  
John Carter, Community Based Planning, M-NCPPC

**Preller, Barbara**

---

**From:** WilliamRDodge@aol.com  
**Sent:** Friday, September 06, 2002 11:25 AM  
**To:** MCP-Chairman  
**Subject:** Site Plan Review -- Current Giant Site on Arlington Road

RECEIVED  
1387  
SEP 09 2002

Chair Berlage and Planning Board Members

On behalf of the Edgemoor Community Association, I would like request that the site plan review for the development of the current (Arlington Road) site be held in the evening of September 26.

OFFICE OF THE CHAIRMAN  
OFF MARYLAND NATIONAL CAPITAL  
THE MARYLAND PLANNING COMMISSION  
PARK AND PLANNING COMMISSION

Holding the site plan review in the evening will accommodate working residents who will otherwise need to make special arrangements, and forgo income, to attend. Since this meeting will have a critical impact on the future development of the Bethesda Central Business District, and its guiding sector plan, many residents will want to be in attendance.

Congratulations on your appointment to the Planning Board and thank you for your consideration of our request.

Bill Dodge

00000

William R. Dodge  
Regional Excellence Consulting

7112 Exfair Road  
Bethesda, MD 20814

301-718-9677 (phone and fax, please call ahead for fax)

WilliamRDodge@aol.com



**Malcolm D. Rivkin**

# /  
7801 Fairfax Road  
Bethesda, Maryland 20814

The Hon. Derick Berlage  
Chairman  
Montgomery County Planning Board  
8787 Georgia Ave.  
Silver Spring, MD 20910

RECEIVED  
SEP 19 2002

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Chairman Berlage,

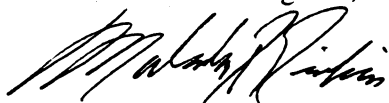
Next Thursday, September 26, the Board will consider both the Site Plan (8-02035) and the Preliminary Plan for the redevelopment of the Bethesda Giant on Arlington Road. I wish to testify in opposition to approval as the former Chair of the Downtown Bethesda Sector Plan Advisory Committee and the current Chair of the Zoning and Planning Committee of Battery Park, a subdivision adjoining the CBD. This proposal is totally inconsistent with the Sector Plan. Indeed it is a gross violation of the Sector Plan and the social contract with surrounding neighborhoods which led to their support of the high density, mixed use, affordable housing, and streetscape components of that plan.

While I will express these points at the hearing, I wish to introduce the two attached documents into the Board's packet and the record. One is the unsolicited letter I received from William Hussmann, Chair of the Board, upon approval of the Sector Plan. Please note that the letter talks about resolution of major issues, including protection of the residential edges. The 42 foot height limit for the subject site and other properties on Arlington Road was a major element in that resolution. This proposal violates the agreement and the Sector Plan itself.

The second document is my letter to *The Washington Post* published on August 22 of this year. This cites core elements of the Plan which the surrounding neighborhoods endorsed and the extraordinary amount of apartment construction currently occurring in the CBD. The pace of new residential development is so significant, it impugns any claim that a plan violation is needed to ensure sufficient housing in the CBD.

I look forward to discussions with you and the Board next Thursday.

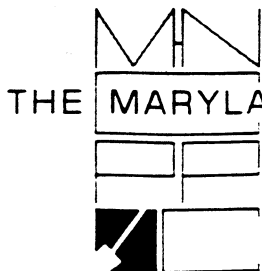
With sincere regards,



Malcolm D. Rivkin, AICP

September 19, 2002

Enc: 2



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

(301) 495-4605

Montgomery County Planning Board  
Office of the Chairman

August 3, 1994

Mr. Malcolm D. Rivkin  
Rivkin Associates  
7508 Wisconsin Avenue  
Bethesda, MD 20814

Dear Mal:

On July 14, 1994, the Montgomery County Council and the Montgomery County Planning Board approved the Bethesda Central Business District Sector Plan. The Maryland-National Capital Park and Planning Commission adopted the Plan on July 20, 1994. Even before it was adopted, the Plan received a merit award from the National Capital Area Chapter of the American Planning Association.

The members of the Planning Board are very much aware of the role you played, as Chairman of the Citizens Advisory Committee, in creating this award-winning Plan. You effectively guided the Committee to address major issues such as location and density of new commercial and residential development, transportation management, and protection of the residential edges. The Committee debated these and other issues in a constructive manner, and agreed to build on the positive features that already exist in Bethesda.

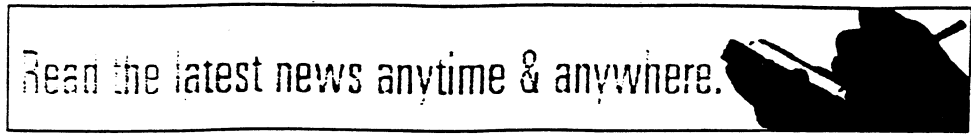
The result of this creative interaction is a Sector Plan that will guide Bethesda development for the next twenty years. The Board shares your belief that controlled growth in Bethesda will benefit the County, residents and employees. Thank you for your contribution to planning this vibrant downtown.

Sincerely,

William H. Hussmann  
Chairman

WHH:CRH:DD:dws

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LETTER TO THE EDITOR

### Smart Growth in Bethesda

Thursday, August 22, 2002: Page A16

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Marc Fisher is all wet when he trashes the residents of Bethesda for upholding the master plan that has guided growth downtown for eight years [Metro, Aug. 4]. Residents and business owners helped craft that plan with the county.

The plan calls for high-density, mixed-use development adjacent to the Metro, a lot of affordable housing, a lively streetscape and much retail space. Five plan-designated sites are under construction and will yield hundreds of apartments. Three sites are much closer to the Metro than the Giant lot on Arlington Road that Mr. Fisher extolled. The two others are on major arteries with sidewalks; they are easily accessible to Metro and have long been zoned for apartments. On the Giant site, the plan calls for a height limit of 42 feet, part of the "social contract" with residents to enable support for high-density, mixed-use development in the core.

Federal Realty, the Giant site's developer, didn't even try to get the plan changed. It went through the back door with an arcane zoning text amendment introduced for official consideration last Sept. 11. Events of that day turned most people's focus elsewhere, and there was little public participation until it was too late. The recent Montgomery County Council action reaffirming the zoning change permits Federal Realty to erect a building that dwarfs everything else on its street. That's what people are protesting.

Mr. Fisher should check his facts before he fulminates again.

MALCOLM D. RIVKIN

Bethesda

*The writer was chairman of the citizens advisory committee for the downtown Bethesda master plan.*

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