



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Item #12  
MCPB  
09.11.03

**MEMORANDUM**

**DATE:** August 27, 2003  
**TO:** Montgomery County Planning Board  
Michael Ma, Supervisor *MM*  
Joseph R. Davis, Chief *JRD*  
Development Review Division  
**VIA:** Mary Beth O'Quinn, Planner *MBO*  
Development Review Division  
**FROM:** (301) 495-4595



**REVIEW TYPE:** Project Plan  
**CASE NUMBER:** 9-03002  
**PROJECT NAME:** Woodmont Corner  
**APPLYING FOR:** Approval of: 284,185 sf of Development, including  
18,808 sf Retail Space  
253 High Rise Residential Units  
including 44 MPDUs of which 32 are MPDUs provided on Site  
250 Parking Spaces

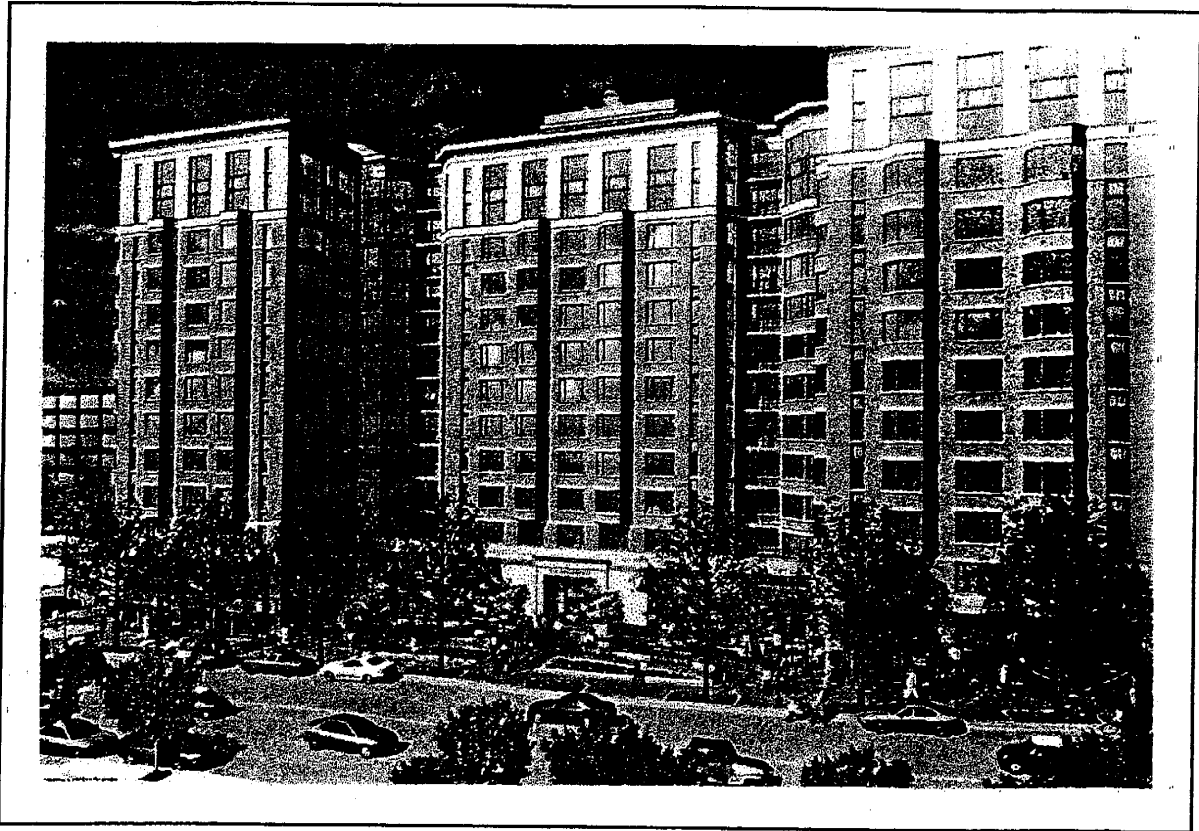
**REVIEW BASIS:** Montgomery County Zoning Ordinance  
Division D-2.11 Project Plan Review and

**ZONE:** CBD-R2  
**LOCATION:** NE Quadrant of Old Georgetown Road and Woodmont Avenue

**MASTER PLAN:** Bethesda CBD Sector Plan

**APPLICANT:** Woodmont Triangle Limited Partnership, c/o Loew Enterprises Mid-Atlantic, Inc.  
**FILING DATE:** April 1, 2003  
**HEARING DATE:** September 11, 2003

# THE WOODMONT CORNER



**View of the Development along Woodmont Avenue  
featuring the Public Plaza**



**View of the Building looking west from  
Old Georgetown Road**

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## APPENDIX AND LIST OF ATTACHMENTS

### ATTACHMENTS

#### Correspondence

- 1 Letter from Lisa W. Rother, Planning Manager, Offices of the County Executive, January, 17, 2003
- 2 Letter from Gayle Libby Curtiss, Esq., Director, Office of Real Estate, Montgomery County Department of Public Works and Transportation, July 14, 2003
- 3 Letter from Elizabeth B. Davison, Director, Montgomery County Department of Housing and Community Affairs, July 1, 2003
- 4 Letter from Gregory M. Leck, Team Leader, Traffic Safety, Investigations, and Planning Team Montgomery County Department of Public Works and Transportation, Operations Division, August 19, 2003
- 5 Memorandum from Godfrey Barrow, Capital Projects Manager, Montgomery County Department of Public Works and Transportation, Division of Traffic and Parking Services, to Jeff Riese, Senior Planning Specialist, Development Review Unit, MC DPWT, June 24, 2003
- 6 Memorandum from Marilyn Clemens, MNCPPC Community-Based Planning, August 19, 2003
- 7 Memorandum from Shariar Etemadi, MNCPPC Transportation Planning, August 19, 2003
- 8 Project Plan 9-03002 Staff Report requesting extension of time period for PUBLIC Hearing, June 27, 2003

**STAFF RECOMMENDATION: Approval with Conditions.** A draft Staff Report for the Project Plan will be available on August 27, 2003.

**SUMMARY**

The applicant, Woodmont Triangle Limited Partnership, under the auspices of Lowe Enterprises Mid-Atlantic, Inc. requests project plan approval under the optional method of development for a 12-story, mixed use building. The property consists of 56,837 square feet zoned CBD-R2. The site is bounded by Woodmont Avenue, Old Georgetown Road and Public Parking Garage #11.

Proposal

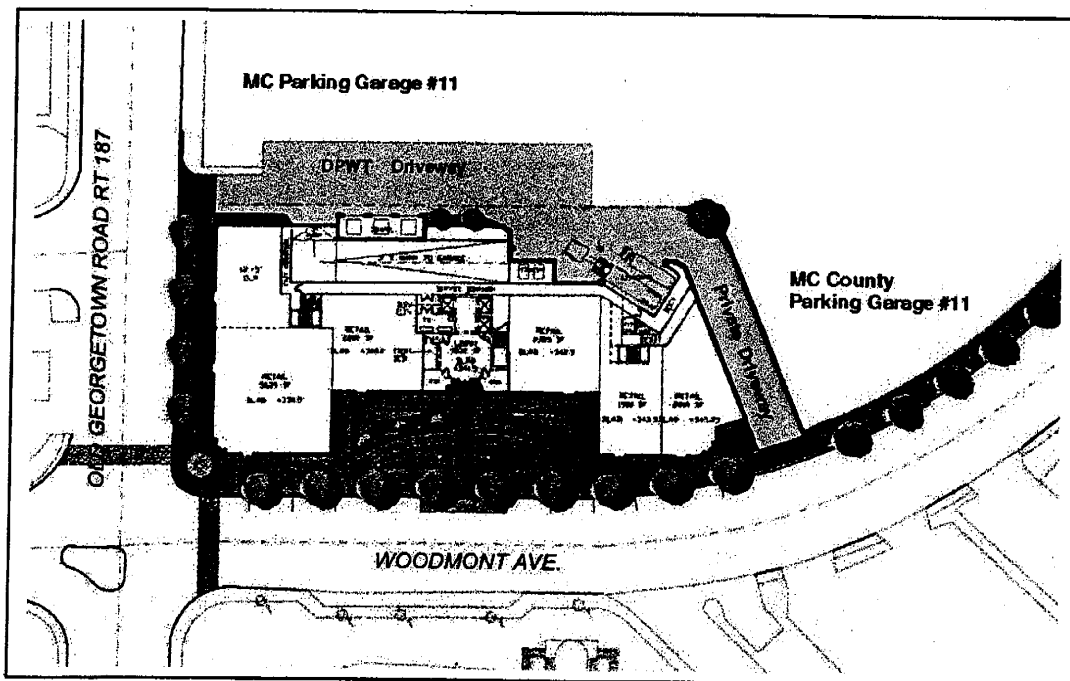
The Woodmont Corner Project proposes to demolish the existing 2-story structure and replace it with high-rise, mixed-use urban infill building of 285,185 square feet, 12 stories tall, and 122 feet of building height. The plan will improve streetscape frontages along Woodmont Avenue and Old Georgetown Road with brick sidewalks, street trees, street lights, and furnishings. On site public amenity space, 20% of the site area, will be provided as a centralized urban public plaza. Bethesda Streetscaping extending along Woodmont Avenue and Old Georgetown Road will comprise the off site public amenities. The architectural program for the high rise, located at the corner of Woodmont Avenue and Old Georgetown, will provide 253 residential units with 32 MPDUs on-site, 18,808 square feet of ground floor retail space, and 7,050 square feet of office or retail mezzanine space, with 250 underground parking spaces.

Public Benefit

Introducing a new residential facet to the Woodmont Triangle will contribute to a vibrant and diverse urban center as envisioned by the Bethesda Central Business District Sector Plan. The project realizes the Sector Plan principle of concentrating the highest density in the Metro Core with residential apartments located within walking distance of employment and the Metro. The existing urban fabric will be improved immensely by this structure whose massing and scale provide a compatible counterpart to the Metropolitan and Bethesda Place on the east while mediating the transition in height for those residential neighborhoods to the west.

Findings

Staff finds that the Project Plan, amended in accordance with the recommended conditions, will be in conformance with the Bethesda CBD Sector Plan, the intent of the CBD Zone, and other project plan findings are required by 59-D-4.42 of the Montgomery County Zoning Ordinance.



**Fig. 1 Landscape Plan showing Residential ground floor and the Public Plaza**

## STAFF RECOMMENDATION

The staff recommends approval of Project Plan 9-03002 for 18,808 sf Retail Space, 7,050 sf optional mezzanine office space, and 253 Residential Units of which 44 units are MPDUs (17%) with 32 MPDUs provided on site (12.5%), and 250 Parking Spaces, subject to the following conditions:

## PROJECT PLAN CONDITIONS

### 1. Development Ceiling and Density

The proposed mixed-use project density is limited to 284,185 square feet of gross floor area (5.0 FAR), including 253 dwelling units, 7,050 square feet of optional mezzanine office space, and up to 18,808 square feet of ground floor retail use. This density is based on the gross tract area of 56,524 square feet, which includes 17,441 square feet of ROW frontage on Woodmont Avenue and Old Georgetown Road ("ROW Frontage"). Planning Board approval is contingent upon Applicant's purchase of 12,065 square feet of Old Georgetown Road ROW frontage from Montgomery County and the subsequent dedication of the ROW Frontage by Applicant, pursuant to Project Plan 9-03002. The Applicant shall submit to Staff, evidence of its acquisition, in fee simple, of the ROW Frontage, prior to record plat.

### 2. Building Height and Mass

The height of the proposed building must not exceed 122 feet. Building mass articulation and setbacks shall be incorporated into the overall design scheme to provide visual interest at street level and from adjacent structures.

### 3. On-Site Public Use Space

The proposed on-site public use space must constitute at least 20 percent of the net lot area of the site. The proposed public use spaces are to be easily accessible and readily used for public enjoyment. The public spaces must foster the creation of a discrete character within a unifying theme. The design must create an inviting environment that will promote public activities during the day as well as at night. The Public Use Space shall be reviewed in detail at the time of Site Plan, and shall address the following features:

#### a. Uses and Square Footage

The uses of the **Public Plaza** north of the intersection of Woodmont Avenue and Old Georgetown must complement those of the public use spaces within the Bethesda Place developments across Woodmont Avenue. The plaza must be able to accommodate and encourage various public functions, such as outdoor art exhibitions, poetry readings, small performances, and passive recreational uses. Finally, the on site public use space must equal 20% of the net lot area.

#### b. Public Art

**Public Art** must be incorporated into the overall design of the public use space, such as the architectural and decorative treatment of the facades that face the plaza. The design of all artwork shall be part of the Site Plan submittal and shall be reviewed and approved by the Planning Board and the Public Art Panel for optional method property.

#### c. Design Elements

The building facades and retail storefronts that form the public space must be designed to achieve a unified design. The plaza design must incorporate pedestrian amenities, recreational amenities, and the public art, successfully integrating the amenities with high quality materials and landscaping. The design of the building facades and retail windows that form the public streetscape on Old Georgetown Road and Woodmont Avenue must, in turn, introduce elements of design that integrate the public street facades with the art themes of public amenity space. Particular attention must be given to the design of the building corners.

The design elements to be addressed at Site Plan Review include the following:

- Bethesda Benches and/or benches of special materials, such as stone or mixed metals
- Washington Globe Street Lights or lighting designed for compatibility with the Public Art
- Special Paving for Pedestrian Spaces
- Site Furnishings

- Bicycle Racks
- Night Lighting
- Stone Retaining Walls and Seat Walls
- Railings and Decorative Elements
- Recreational Elements
- Planted Areas
- Seasonal Landscaping
- Plaza Street Trees
- Roof Landscaping as visual amenity or Green Roof suitable for Stormwater Management
- Public Art Program

These features shall be used to enhance the quality of the public space, establish its identity, promote public use, complement adjacent retail and residential use, and facilitate pedestrian activity. Trees within the Public Plaza and over the underground parking shall be provided with adequate soil panel as verified by a certified arborist.

4. Off-Site Public Amenities and Streetscape

**Off-site streetscape improvements** shall be completed using all elements of the Bethesda Streetscape Standards, including street trees, paving, lighting, furnishings, and fixtures for the following areas:

a. Woodmont Avenue

**Streetscaping** must be provided on the west side of Woodmont Avenue from the corner of Old Georgetown Road extending northward to Cheltenham Drive. The streetscape treatment must satisfy Sector Plan recommendations for the "Main Street" Level One Streetscape, including:

- Underground utilities;
- Bethesda pavers;
- Bethesda Lantern street lights;
- Zelkova street trees, tightly spaced;
- Furnishings and fixtures, such as Bethesda benches, as determined at Site Plan Review.

b. Old Georgetown Road

**Streetscaping** must be provided on the north side of Old Georgetown Road from the corner of Woodmont Avenue to the western boundary of the public parking garage. The streetscape treatment must ensure that this segment of Old Georgetown Road reads as part of a continuous, retail, shopping street and satisfies Sector Plan recommendations for the "Urban Boulevard," including:

- Underground utilities;
- Bethesda pavers;
- Bethesda Lantern street lights;
- London Plane trees, tightly spaced;
- Furnishings and fixtures, such as Bethesda benches, as determined at Site Plan Review.

At the time of Site Plan Review, the applicant must:

- c. Provide an **arborist's report** for existing trees on the above-mentioned streets. Appropriate tree protection measures and provision for replacement and supplemental street trees will be addressed at Site Plan Review;
- d. Provide a **Streetscape Plan** showing the off-site public amenities. The Streetscape Plan must coordinate site furnishings, materials and standards consistent with retail and other uses;
- e. Ensure continuity of the **brick sidewalks** across the entrance/exit points for the garage, service area and apartment building; final design of the garage vehicular access drives and garage openings are addressed through details of Site Plan Review.

5. Public Art

A **Public Art Program** that addresses the public spaces of the project must be incorporated into the overall design of the development. The public art must be provided within the public use space, including the architectural and decorative treatment of the building facades that envelope the public space and extend to the public street frontage. The design of all artwork shall be part of the Site Plan submittal and shall be presented to the Public Art Panel for optional method review prior to the Planning Board hearing for Site Plan approval.

- a. Art features such as sculpture, water fountains, special paving inserts, special planters, or special handrails or fences must be provided on the site, as part of the public space and/or as part of the architectural design of individual buildings;
  - b. The artwork must be designed and located as an integral part of the development. The artwork must present a **cohesive theme** throughout the development that will enhance the quality of the public spaces and enrich the pedestrian experience throughout the site, connecting the major public spaces and major pedestrian entrances on the two street fronts;
  - c. The **artwork phasing** must provide for installation upon the completion of the public space or individual buildings where the artwork is located.
6. Staging of the Public Amenities  
The construction or installation of **all public amenities**, including on-site and off-site features, must be complete prior to occupancy.
7. Moderately Priced Dwelling Units  
Moderately Priced Dwelling Units (MPDUs), shall be provided in accordance with Chapter 25A of the Montgomery County Code. [See letter from Elizabeth Davison, Department of Housing and Community Affairs, dated July 1, 2003, attached.]
8. Road Rights-of-Way  
The applicant must provide or dedicate required **road rights-of-way** for the following streets, as recommended in the Bethesda CBD Sector Plan:
  - a. 40 feet from center of Woodmont Avenue to provide for 80 feet of ROW;
  - b. 40 feet from centerline of Old Georgetown Road to provide for 82 feet of ROW.
9. Road and Sidewalk Improvements  
The applicant must provide **transportation improvements**, in accordance with applicable Bethesda CBD Sector Plan recommendations:
  - a. A marked pedestrian crosswalk on the north side of Old Georgetown Road at Moorland Lane, subject to approval of the Maryland State Highway Administration;
  - b. Construction of a 25-foot radius curb at the intersection of Old Georgetown Road and Woodmont Avenue with reconstruction of the pedestrian refuge island, if necessary, at the southwest corner of the intersection, to limit vehicle-turning speeds and to reduce pedestrian crossing distance.
  - c. Coordinate sidewalk construction and streetscape installation along Woodmont Avenue with DPWT Capitol Improvements Project No. 500102;
  - d. A signed, curb-side vehicular drop-off area on southbound Woodmont Avenue at the residential entrance, to be provided by the purchase or lease of two metered parking spaces, with no alteration to the consistent curb line, subject to Montgomery County Department of Public Works and Transportation (MCDPWT) Parking Operation Section approval;
10. Access Easement  
Prior to record plat, Applicant shall enter into an agreement with DPWT, establishing an access easement that will permit Applicant and users of the proposed development to use the existing access way, which is located between the site and Public Parking Garage #11 and is controlled by the DPWT Division of Parking and Traffic Services, for vehicular access to the site ("Access Easement Agreement").



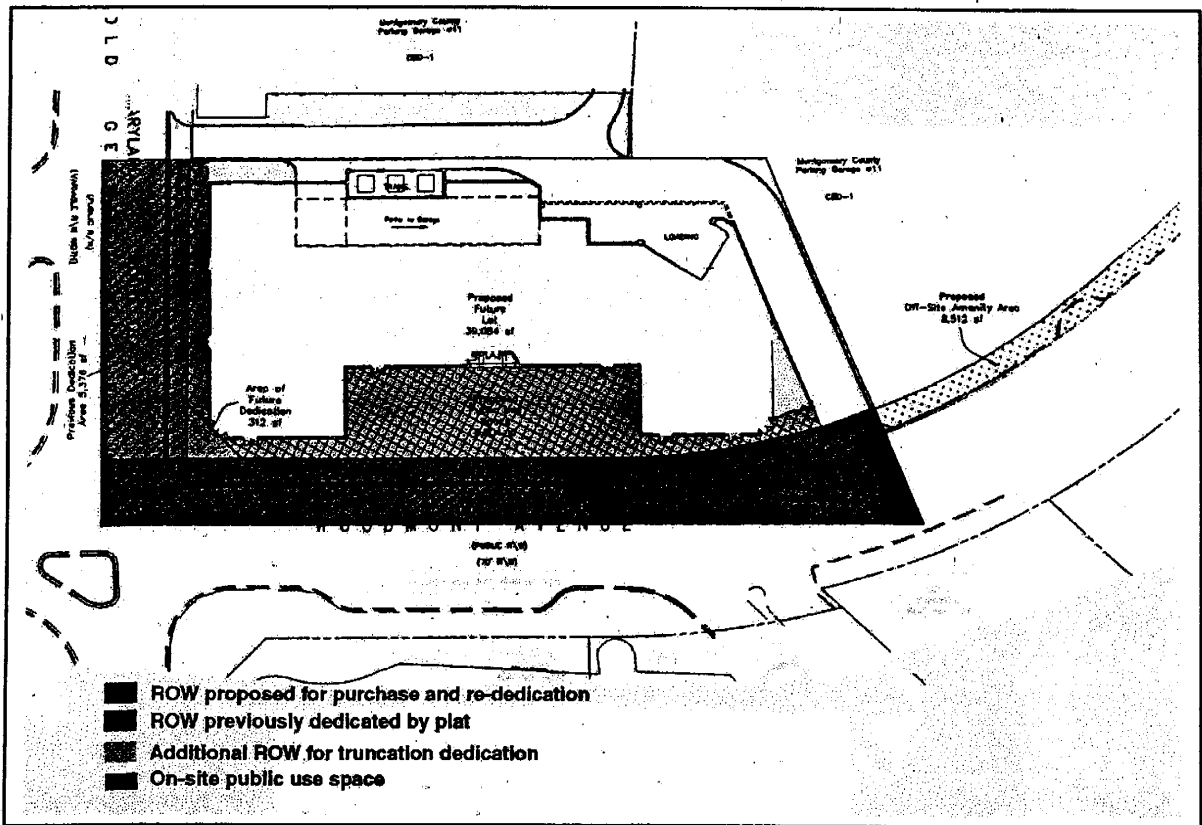
**ISSUES OF PROJECT PLAN REVIEW**

In the course of site plan review, staff and applicant reviewed the location of the building, on site and off site public amenities, the general massing and scale of the structure, underground parking capacity, and general landscaping concepts. Streetscape design was considered for pedestrian safety and off site public amenities, with implementation of the Bethesda Streetscape standards and the connections of the public sidewalks to the major public plaza.

Three major issues of review required significant effort on the part of the applicant team, relevant county agencies, and M-NCPPC staff: 1) Mandatory Referral: the applicant's request to purchase portions of ROW street frontage on Woodmont Avenue, and; 2) provision of MPDUs; and 3) the applicant's proposal for use of a rear access way governed by DPWT Parking and Traffic Services Division for vehicular traffic, loading and delivery. The review also addressed the applicant's proposal for a vehicular drop off at the residential building entrance. The Planning Board, on July 3, 2003, approved an extension of the time period for holding a public hearing to allow resolution of the issues of review.

1. Mandatory Referral for Purchase and Re-dedication of Right-of-Way Area: Density Implications & MPDUs

This issue of review will be presented to the Planning Board for consideration as a Mandatory Referral concurrent with hearings for this Project Plan and the Preliminary Plan. The issue of interest is the applicant's request to purchase from Montgomery County 12,065 sf of right-of-way land area that adjoins the sidewalk adjacent to Woodmont Avenue along the subject property's frontage.



**Figure 3, Building and road frontages for Woodmont Corner. The red area shows the Woodmont Avenue ROW proposed for purchase and immediate re-dedication.**

Background

The subject land area was previously transferred by deed to Montgomery County in 1955. The applicant's successful purchase of the 12,065 sf, pending Planning Board and County Council approval, will allow the applicant to re-dedicate the area by plat to the County and "recover" the square footage as part of the gross tract

area upon which the proposed density is based. The inclusion of this land within the subject parcel provides for continuation of its use as a public sidewalk (upgraded, however, as an Optional Method public use space amenity) and for additional MPDUs.

The applicant has proposed to the County that 33% of the unit density gained through the application of the additional floor area be provided as MPDUs. The applicant's correspondence with the Office of the County Executive indicates approval by the County Executive, subject to the provision of the additional 33% MPDUs and the payment representing the present value of the land (\$269,000). [See letter from Lisa Rother, Office of the County Executive, dated January 17, 2003, attached.]

APPLICANT POSITION: The applicant's proposal indicates compliance with the conditions of approval stipulated by the office of the County Executive: the provision of additional MPDUs at a rate of 33% of all units gained, and a payment for \$269,000 for the present value of the land.

COMMUNITY POSITION: No comment has been received from members of the community.

COUNTY POSITION: The County Executive has issued a letter of approval subject to conditions. The DPWT Office of the Real Estate has granted an extension of time to allow the Planning Board to review the Mandatory Referral.

STAFF POSITION: Staff supports the applicant's proposal to incorporate the "recovered" 12,065 sf as part of the gross tract area because the additional density and the total number of dwelling units provided are compatible with the desired CBD development. More significantly, the provision of this incremental density will accommodate additional residential units, of which the applicant proposes that 33% of the 57 gained units will be designated for the MPDU Program.

## II. Moderately Priced Dwelling Units

The applicant, as per the above discussion, proposes providing additional MPDUs as a condition for the successful re-acquisition and purchase of ROW area and in accordance with conditions stipulation by the Office of the County Executive. The Division of Housing and Community Affairs has approved the applicant's proposal for the provision. [See letter from Elizabeth Davison, DHCA, dated July 1, 2003, attached.]

- 25 MPDUs are required for the 12.5% of base density prior to the recovery of ROW land area;
- The "recovered" land area will generate 57 additional units, of which 33% or 19 residential units will be "supplemental" MPDUs;
- The applicant proposes to provide ½ of base density MPDUS on site (13 MPDUS) and all of the "supplemental" MPDUS on site (19 MPDUS) for a total of 32 MPDUs on site;
- Of the total 44 MPDUs yielded from the combined base density and the ROW agreement with the County, 32 MPDUs (12.6% of full total units) will be provided on site and a contribution fee to the Housing Initiative Fund in lieu of 12 MPDUs has been approved by DHCA.

APPLICANT POSITION: The applicant has presented a letter of approval from the Elizabeth B. Davison Department of Housing and Community Affairs (DHCA).

COMMUNITY POSITION: No comment has been received from members of the community.

COUNTY POSITION: DHCA has approved a waiver to accept a contribution fee to HIF in lieu of 12 MPDUs.

STAFF POSITION: Although staff encourages the provision of all MPDUs on site, the applicant has secured approval from the DHCA, the lead agency, for the MPDUs as proposed.

**III. Reciprocal Easement Agreement for Use of the Parking and Traffic Services Access Way**

The project plan proposed features design for a high-rise apartment building with three levels of underground parking. The dense urban context requires a high level of coordination between numerous design specialties, specifically, traffic engineering, structural engineering, storm water management, and pedestrian safety.

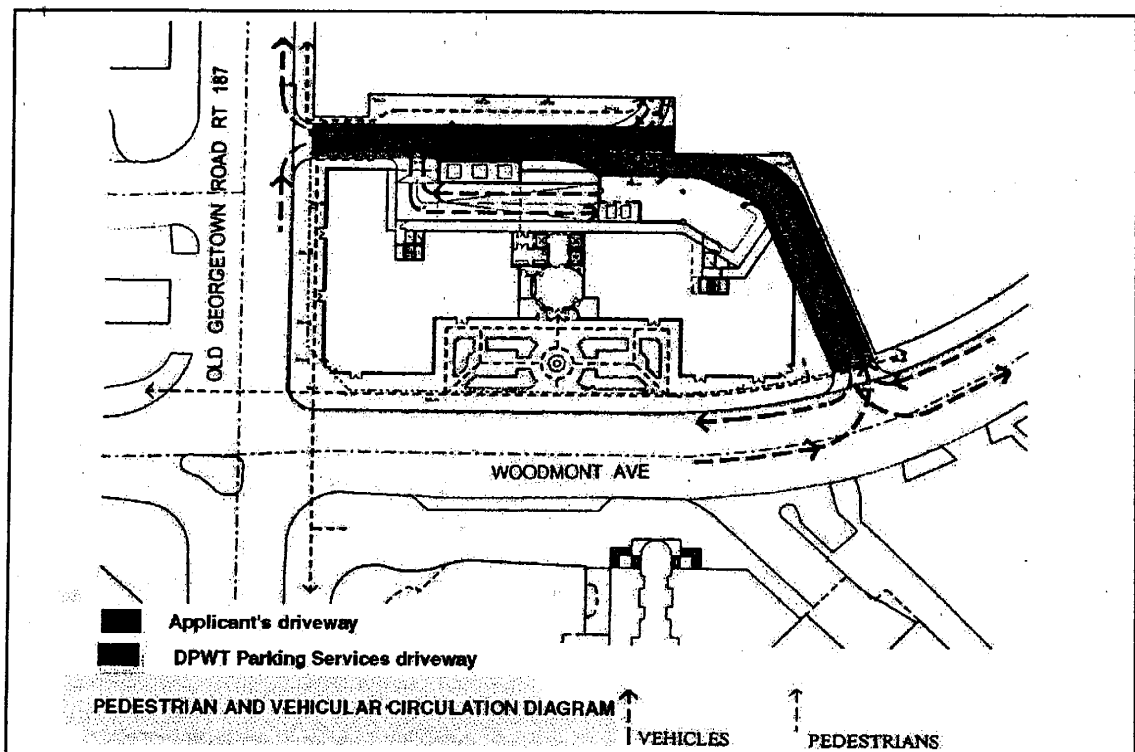
The applicant's proposal features vehicular access from Old George Road to the underground parking via shared use of an access way that services County Public Garage #11, owned by the DPWT Traffic and Parking Services (TPS) Division. Site design also features a private, supplemental driveway connection located within the applicant's property, which would wrap the building on the north, with an entry point from Woodmont Avenue. The applicant proposes a reciprocal easement agreement granting access to both parties and the general public for use of both vehicular accesses drives. This solution would provide two-way traffic around the rear of the new building with ingress and egress from Old Georgetown Road and Woodmont Avenue – resulting in greater vehicular and pedestrian efficiency and safety.

**APPLICANT POSITION:** The plan achieves many objectives of the Sector Plan such as underground parking, concealed loading and delivery, and more efficient traffic flow around this block of the CBD.

**COMMUNITY POSITION:** No comment has been received from members of the community.

**COUNTY POSITION:** The two DPWT Divisions have performed a substantial review of the traffic plan and infrastructure design. TPS has determined that use of the applicant's connecting driveway will offer an identifiable benefit to users of the public garages. Both DPWT divisions have provided letters of approval for the easements, subject to execution of the agreements with extensive conditions. [See also letters of correspondence, Attachments # .]

**STAFF POSITION:** Staff supports the applicant's proposal. Vehicular use of the two driveways will provide superior circulation for both automobiles and pedestrians, with increased efficiency and safety with a higher quality of streetscape in the CBD. [See also *Findings*, page 27.]



**IV. Vehicular Drop-off on Woodmont Avenue**

The plan proposes to remove two or three of the existing on-street metered parking spaces along the west side of Woodmont Avenue in order to provide a signed, curbside vehicular drop off area for the proposed apartment building. This arrangement would require the applicant to lease or purchase the two parking spaces from the DPWT Parking Services Division.

**APPLICANT POSITION:** The design provides a creative solution to the demonstrated need for new residential buildings while retaining the full Bethesda streetscape on Woodmont Avenue.

**COMMUNITY POSITION:** No comment has been received from members of the community.

**COUNTY POSITION:** The DPWT Division of Parking Services and the Division Operations recognizes the desirability of the proposed curb side drop off area that does not interfere with pedestrian safety or traffic flow. The arrangement is subject to further review and approval by the two divisions.

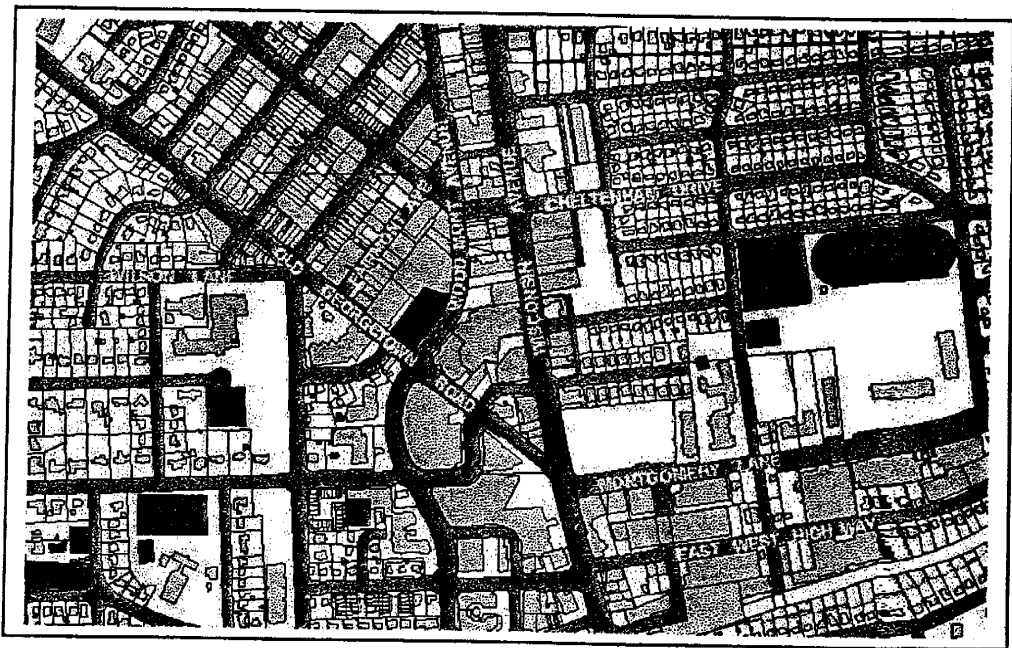
**STAFF POSITION:** Staff supports the applicant's proposal and encourages this design alternative that allows the full Bethesda Streetscape with wide sidewalks, safer pedestrian movement, and more efficient southbound traffic flow on Woodmont Avenue.

**PROJECT DESCRIPTION: Surrounding Vicinity**

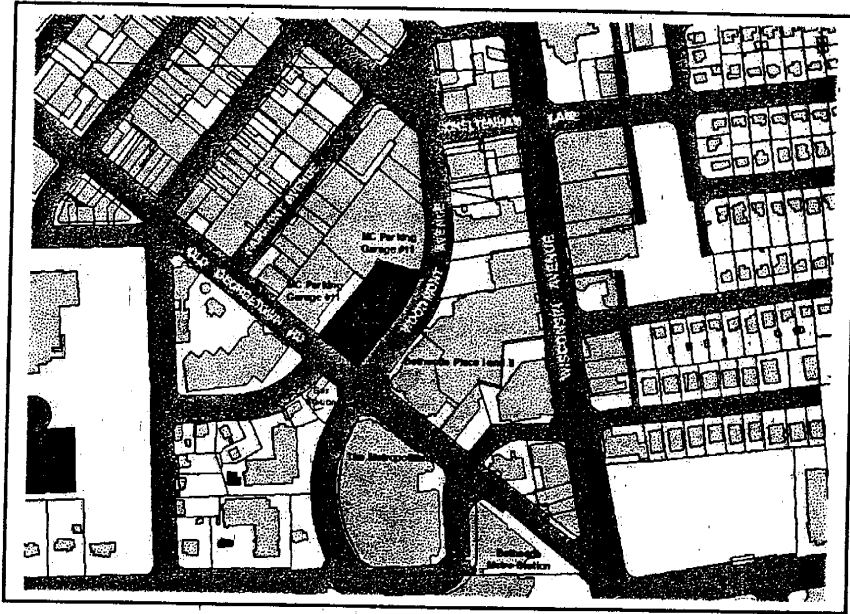


**Fig. 4 Aerial view of the Woodmont Triangle District of the Bethesda CBD**

The site, Parcel N182, is located in the Woodmont Triangle section of the Bethesda Central Business District. It is bounded by Woodmont Avenue on the east and Old Georgetown Road (MD187) to the south. The Public Parking Garage #11 complex wraps the site around its north and west boundaries.



**Fig. 5  
Plan drawing  
of the Triangle District.  
The site is shown in red**



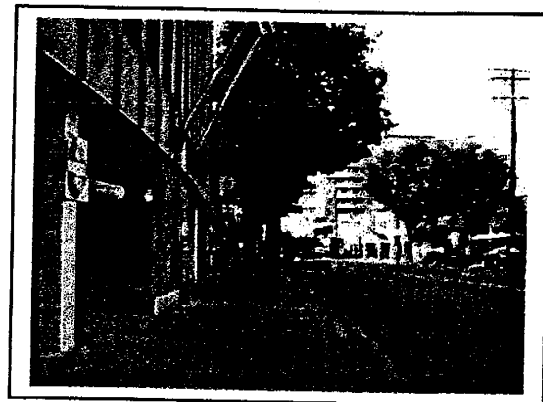
**Fig. 6**  
**Planametric drawing**  
**showing the immediate**  
**vicinity of the site at the**  
**Tip of the Woodmont Triangle**



**Fig. 7** Aerial view  
of the site

**North**

The land immediately to the north, zoned CBD-1 is occupied by the County Public Parking Garage #11. Further north, along Woodmont Avenue are small retail establishments, including restaurants, cafes, and bookstores. Within ½ mile to the north is the National Library of Medicine, part of the campus occupied by the National Institutes of Health.



**Fig. 8** Woodmont Avenue Street frontage  
looking north from the project site