



ITEM # 11
MCPB 12/18/03

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

DATE: December 3, 2003
TO: Montgomery County Planning Board
VIA: Joseph R. Davis, Chief
FROM: Michael Ma, Supervisor *ma*
Development Review Division
(301) 495-4523



PROJECT NAME: Bethesda View
CASE #: 9-04001
REVIEW TYPE: Project Plan

ZONE: CBD-1

APPLYING FOR: Approval of 134, 821 gross square feet of development, including 120 residential condo units on approximately 1.41 acres

LOCATION: Northwestern quadrant of the intersection of Wisconsin Avenue and Bradley Boulevard

MASTER PLAN: 1994 Bethesda Central Business District Sector Plan

REVIEW BASIS: A Project Plan review is required for the use of optional method of development for a CBD zoned property under Sections C-6.215(b) and D-2.11 of the Zoning Ordinance.

APPLICANT: Sheridan Development Company, LLC
FILING DATE: August 28, 2003
HEARING DATE: December 18, 2003

STAFF RECOMMENDATION FOR PROJECT PLAN: Approval of Project Plan #9-04001 for 218,870 gross square feet, including existing commercial space and 75 to 120 multi-family dwelling units, with the following conditions:

1. Development Ceiling
The proposed development shall be limited to 218,870 gross square feet (or 2.88 FAR), including the existing commercial space and 120 multi-family dwelling units.
2. Transportation
 - a. Provide 50 feet of right-of-way and an additional 10 feet of easement (sidewalk and amenities) for a total of 60 feet from the centerline of Wisconsin Avenue to the face of the building for the length of parcel 923 and part of lot 1, block 2.
 - b. Provide 50 feet of right-of-way and an additional 10 feet of easement (sidewalk and amenities) for a total of 60 feet from the centerline of Bradley Boulevard to the face of the building for the length of part of lot 1, block 2.

- c. Widen, and dedicate land if necessary, the public alley along the northwestern corner of the site to a 20-foot width in accordance with Montgomery County Department of Public Works and Transportation's requirements.
- d. Limit the development to 120 multi-family units and an additional 44,400 square feet of retail for a total of 125,637 square feet of mixed office and retail space.
- e. Provide a Class III bike facility, i.e. a wide curb lane, along Bradley Boulevard as required by the Maryland State Highway Administration (MSHA).

3. Public Use Space

At the time of site plan review, alternative design schemes for the proposed public use area along the Bradley Boulevard frontage shall be explored to ensure that the area will be easily accessible from the street and is designed as an inviting place that will accommodate meaningful activities for both the general public and future residents of the development.

4. Streetscape

- a. All streetscape improvements, on both Wisconsin Avenue and Bradley Boulevard, shall include underground utilities and shall be in accordance with the *Bethesda Streetscape Plan*.
- b. The design of the proposed streetscape along Bradley Boulevard shall consider and coordinate with on-street parking spaces.

5. Public Art

Site Plan for the proposed development shall include a detailed public art program. The public art shall enhance the gateway location of the subject site and enrich the pedestrian experience along Wisconsin Avenue or within the proposed public use areas. It should be planned as an integral part of the overall building and public use area design. The public art program shall be fully developed by the applicant and reviewed by the Planning Board's Art Panel prior to site plan review.

6. Off Site Public Amenities

The applicant shall provide streetscape improvements, including underground utilities, in accordance with the *Bethesda Streetscape Plan* along the west side of Wisconsin Avenue, approximately 300 feet in length, from the north property line of the subject site to the south property line of Lot P6 of Block 2 near the intersection of Wisconsin Avenue and Walsh Street. Site plan for the proposed development shall include design details of the required streetscape improvements.

7. Staging of Amenity Features

The design details and staging of all the on-site and off-site public amenities, including the public art program, shall be finalized at the time of site plan review.

8. Moderately Priced Dwelling Units (MPDUs)

The proposed development shall provide required MPDUs (12.5% of the total dwelling units) in accordance with the letter from Montgomery County Department of Housing and Community Affairs (DHCA) to Chairman Berlage dated December 2, 2003. If the proposed dwelling units are to be developed as rental units, the provision of the required MPDUs shall be re-evaluated by DHCA at the time of site plan review.

9. Structure Under Public Alley
The portion of the proposed underground parking structure (Level B2 to B5) that is located under the existing public alley is subject to approval of Montgomery County Department of Public Works and Transportation and Department of Permitting Services.
10. Public Access Easement
Prior to the issuance of any permit for the proposed development, a 10-foot-wide public access easement along the street frontage of the site as required by Condition 2 shall be recorded in the land records.
11. Lay-by on Bradley Boulevard
At the time of site plan review, the applicant shall explore the possibility of providing a drop-off area on Bradley Boulevard by eliminating some on-street meter parking spaces. If it is determined by State Highway Administration, Montgomery County Department of Permitting Services, and M-NCPPC staff that a lay-by as proposed by the applicant is a more desirable solution, the paving materials for the lay-by area should match the materials used for the adjacent sidewalk.
12. Recreation Facilities
The proposed development shall provide adequate recreation facilities for the residents of the subject development in accordance with the Recreation Guidelines. Site plan of the development shall identify location and design of the proposed facilities. Use of planters and other green areas should be considered for rooftop terraces to provide appropriate space for passive recreation activities.
13. Noise and Air Quality Compatibility
 - a. Site Plan for the proposed development shall include a noise analysis to determine if residences are exposed to noise levels greater than 65 dBA Ldn. If so, additional acoustical treatment of the residential units may be required.
 - b. The design of the proposed development shall separate garage exhaust from residential intakes and away from outdoor amenity spaces.
 - c. The applicant shall install a solid fence along the public alley frontage during the construction period to minimize the impact of construction activities on adjacent apartments and to reduce noise, dust, and debris. The design and exact location of the fence shall be included in the site plan submittal.
 - d. At the time of site plan review, the applicant shall work with M-NCPPC staff and the adjacent apartments owner to identify possible landscaping and/or other screening devices to address the impact of the new garage entrance on adjacent apartments.

SUMMARY

The subject project plan application proposes a mixed-use development to be located at the intersection of Bradley Boulevard and Wisconsin Avenue near the southern end of the Bethesda Central Business District. This CBD-1 zoned development will consist of residential, condominium units and new retail space. Parking for both uses will be provided in an underground parking garage accessed off of Bradley Boulevard. The existing commercial building and its underground parking in the southern portion of the site will remain. In keeping with the Optional Method of Development, public use areas and on-site and off-site public amenities will be provided. The development proposal is summarized as follows:

The southern portion of the site:

The existing retail building (containing Staples and Storehouse), which includes two stories, 81,237 square feet of retail/office uses and one level of underground parking, will remain.

The northern portion of the site:

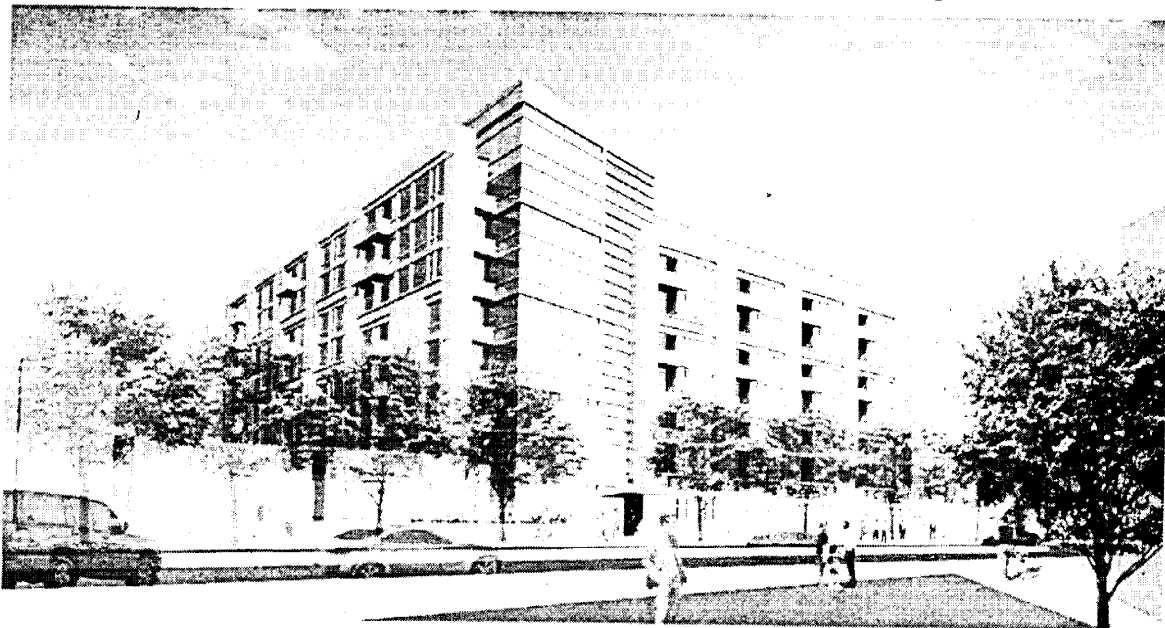
The two existing one-story retail buildings and the adjacent surface parking lot will be replaced with a new building. The new high-rise building will include:

- 7 stories of condominium dwelling units, between 75 and 120 units;
- 2 stories of retail space, approximately 44,000 square feet;
- 4 levels of underground parking (263 spaces), of which the first level will be connected with the parking under the existing retail building in the southern portion of the site.

Public Amenities

- Public use areas - 20 percent of the site, including public sidewalks and a landscaped plaza;
- Streetscape improvements - along Wisconsin Avenue and Bradley Boulevard, including underground utilities;
- Public art - to be incorporated into the building's Wisconsin Avenue facade or public space design;
- Off-site amenity - streetscape improvements on Wisconsin Avenue, approximately 300 feet in length.

The property owner of adjacent garden apartments expressed his concerns about the impact of the proposed development on his tenants. Staff is concerned about the adequacy of the proposed public amenities. These two issues and the MPDU requirement for this development are discussed in detail in the 'Development Issues' section below. Staff recommends approval of the proposed plan with 13 conditions.



VIEW FROM WISCONSIN AVE.

DEVELOPMENT ISSUES

I. Moderately Priced Dwelling Units (MPDUs)

Requirement: The proposed mixed-use development contains 75 to 120 condominium multi-family dwelling units. At least 12.5% of the units must be MPDUs. Therefore, the development must provide 10 to 15 MPDUs, depending on the final number of the units.

Applicant's Proposal: No MPDUs will be provided on site. Instead, the applicant has reached an agreement with Montgomery County Department of Housing and Community Affairs (DHCA) to make a contribution (\$55,000 per MPDU) to the Housing Initiative Fund to satisfy the MPDU requirement. The contribution will go towards funding construction of affordable housing units on the Fire Department Property, located on the corner of Bradley Boulevard and Wisconsin Avenue, or if such project is not feasible will fund other projects within the same or adjoining planning area.

Applicant's Justification: It is financially not feasible to put MPDUs into high-end condo buildings that have associated high condo fees. The subject property will have condo fees in the range of about \$7,000 per year. An individual participating in the MPDU program (who qualifies because of income levels of about \$40,000) can't afford these additional fees.

DHCA's Position: Applicant, Sheridan Development Company, will contribute \$55,000 per required MPDU or a total amount between \$550,000 (for 10 MPDUs) and \$825,000 (for 15 MPDUs). In addition, the applicant will contribute an additional \$110,000. DHCA letter to Chairman Berlage dated December 2, 2003 is attached.

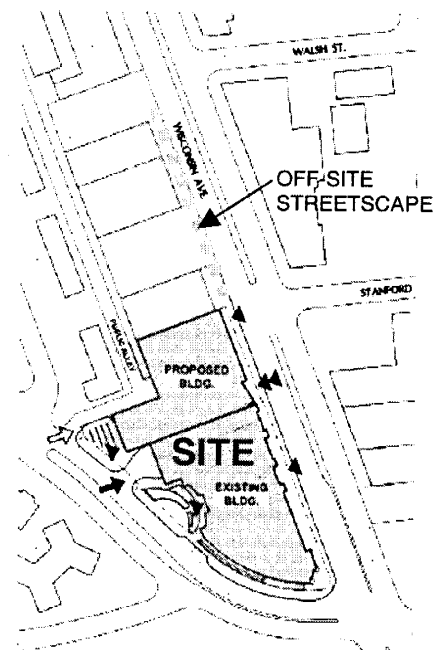
Staff Recommendation: The proposed development shall provide required MPDUs (12.5% of the total dwelling units) in accordance with DHCA requirements. However, if the proposed dwelling units are to be developed as rental units, the provision of the required MPDUs must be re-evaluated by DHCA at the time of site plan review.

II. Off-Site Public Amenity

Applicant's Proposal: Provide streetscape improvements, approximately 300 feet in length, on the west side of Wisconsin Avenue between the subject site and Walsh Street. The proposed improvements do not include underground utilities.

Staff Recommendation: The proposed streetscape improvements should include underground utilities.

Staff Justifications: The development uses the optional development method for additional density (FAR 2.88 vs. FAR 2) and

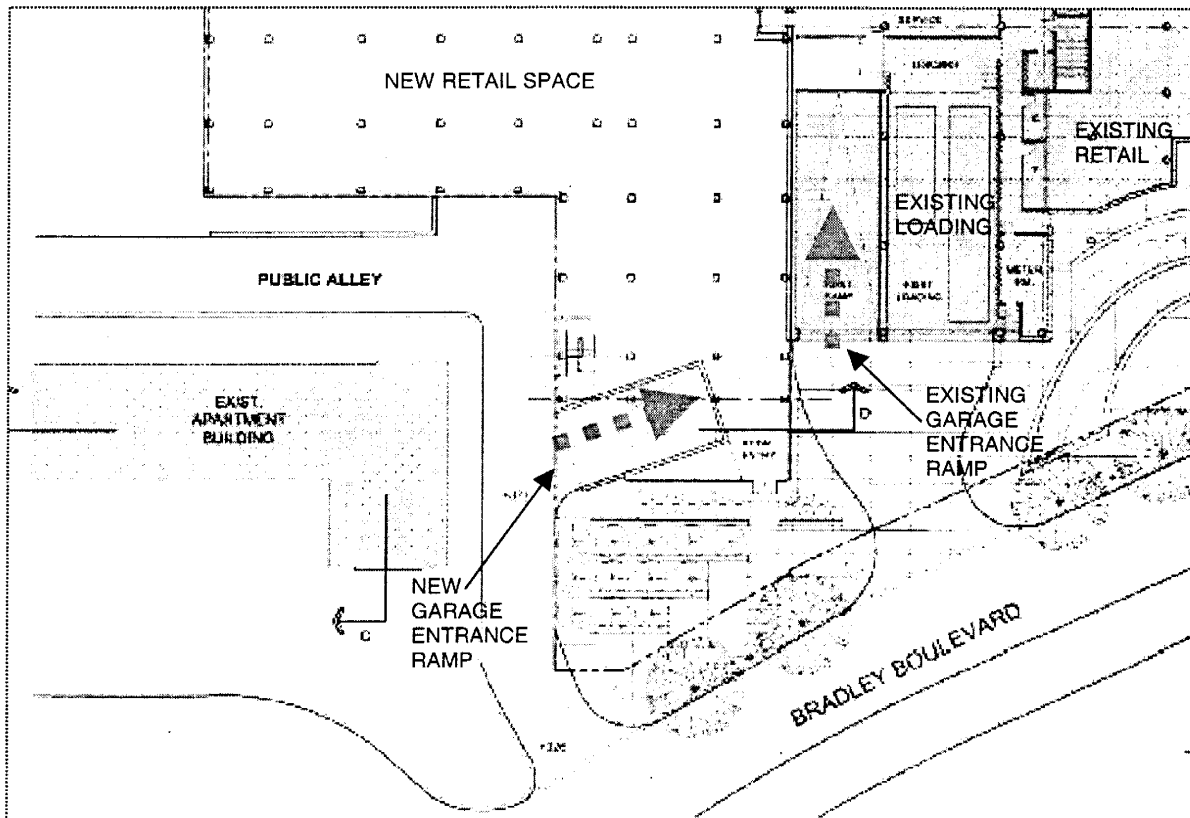


building height (79.5 feet vs. 60 feet) over what would be permitted under the standard method. In addition to on-site amenities, such as streetscape, public use area, and public arts, the proposed development should provide underground utilities for the off-site portion of the streetscape improvements to justify the 44% increase in density and nearly 20 feet increase in building height.

Underground utilities will be provided by the applicant along the development's Bradley Boulevard and Wisconsin Avenue frontages. It should be extended northward to be part of the off-site streetscape design to fully improve the streetscape along this section of Wisconsin Avenue between Bradley Boulevard and Walsh Street.

III. Compatibility with Adjacent Apartments

There are existing garden apartments located across a public alley from the northwestern portion of the proposed development. The development proposes a four-level underground parking garage. The first two levels will be provided for retail customers using the existing entrance ramp off Bradley Boulevard. The lower two levels of parking will be allocated to the residential portion of the development exclusively using a new entrance ramp off the public alley, approximately 75 feet off Bradley Boulevard, near the northwestern corner of the site.



- Apartment Owner Concern:
- a. The proposed new garage entrance off the alley is within 25 feet of several of the bedroom windows of the adjacent apartment building. The garage entrance should be redesigned to use the existing entrance directly off Bradley Boulevard to minimize the impact of vehicular pollutions and noise, electric gate noise, and alley traffic congestion on adjacent apartments and to avoid pedestrians safety problems.
 - b. The impact of the construction activities of the proposed development on the apartments.

Copies of the letters from M. Wilson Offutt to Michael Ma dated November 4, 2003, and to Gregory B. Fernebok dated November 26, 2003 are attached.

Applicant Position:

- a. The applicant agrees to provide a fence along the property line to screen construction noise, dust, and debris during the construction period.
- b. From a safety perspective, the applicant has indicated the importance of providing two points of access into the underground parking facility in case one of the entrances becomes blocked. Also, from a safety perspective the residents need to have a secure and independent parking area separate from the commercial parking lot, which is open to the general public. In addition, the alley is currently utilized by the applicant for commercial loading and trash dumpster purposes. The applicant proposes to eliminate such commercial usage of the alley, and replace it with a less physically intense and more compatible residential access, similar to how the alley is currently utilized by the adjacent apartments. Furthermore, the applicant has taken steps to minimize any noise that may result from this new residential entrance by substantially setting back the electric parking gate, so that falls within, and not flush with the building face.

Staff Recommendation:

The site has a frontage on Wisconsin Avenue, Bradley Boulevard, and the public alley. For a four-level, 389-space underground parking garage, it is desirable to have two separate entrance/exit points for circulation and safety reasons. The site currently has a vehicular entrance off Bradley Boulevard to the garage under the existing retail building. Having a new driveway entrance on Wisconsin Avenue is not feasible due to the traffic volume on Wisconsin Avenue and the fact that the site has other street frontages.

While the applicant's proposal includes a new residential garage entrance on the public alley which will increase residential vehicular trips, the applicant has eliminated all commercial loading and dumpster activity in the alley by the residential apartments. In addition, the applicant has setback into the building the electric parking gate so as to further minimize noises. At the time of site plan review, staff will work with the adjacent property owner and the applicant to review the design of the garage entrance and the surrounding areas in details to identify possible landscaping or other screening devices to address the impact of the new garage entrance.

PROJECT DESCRIPTION: Surrounding Vicinity

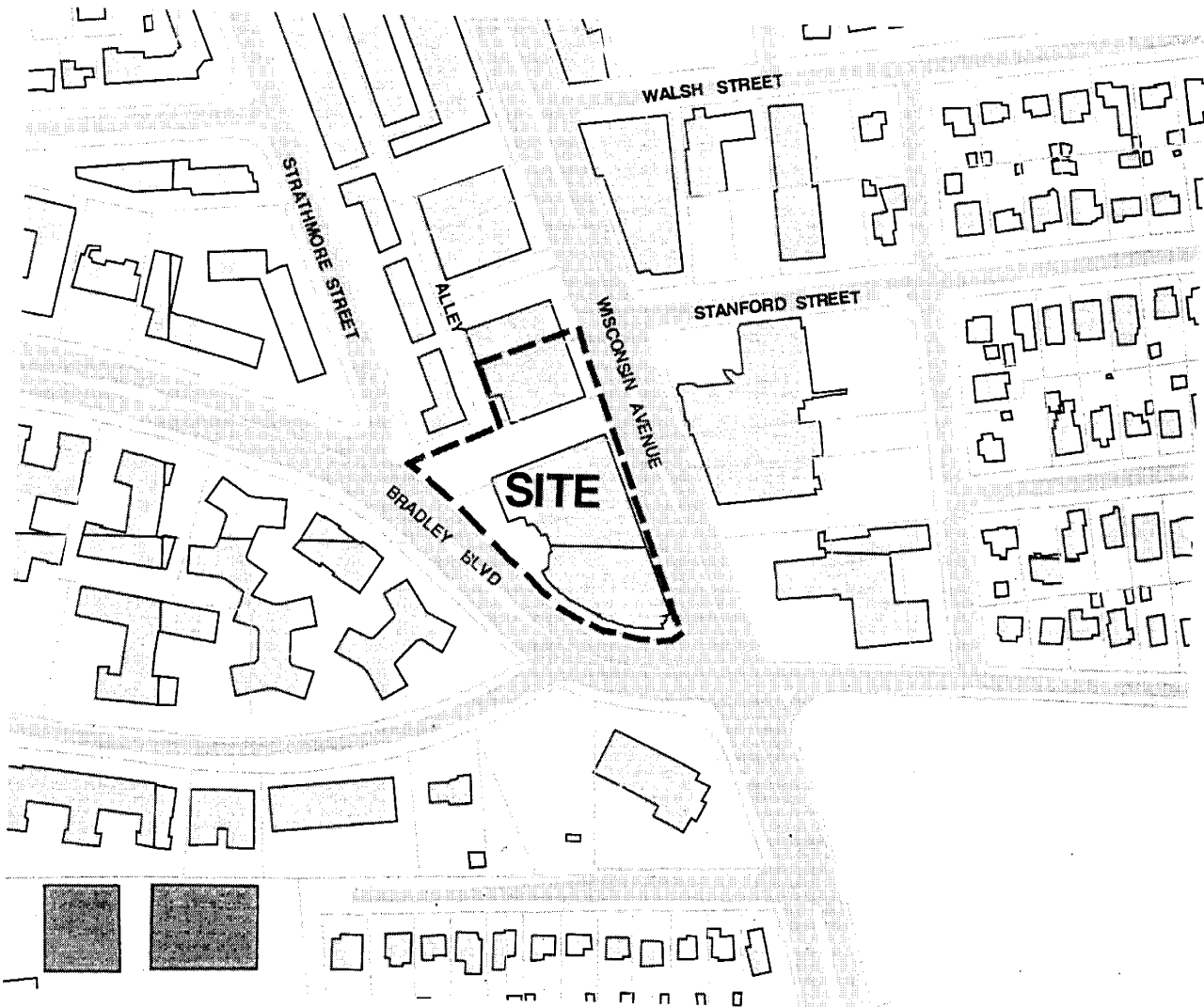
The Property is located at the southern edge of the Bethesda Central Business District, northwest of the Wisconsin Avenue and Bradley Boulevard intersection. The northwestern corner of the property fronts on a public alley, which extends from Bradley Boulevard to Woodmont Avenue. The surrounding zoning consists of CBD-1 to the north and east, and R-10 to the south and west. The immediate surrounding land uses are as follows:

North: The property immediately to the north is improved with an eight-story office building. To the northwest of the site is R-10 zoned multifamily rental units known as The Strathmore. These apartments consist of 2- to 3-story buildings that are approximately 20 to 30 feet in height.

East: The properties to the east of the Property, across Wisconsin Avenue, are all zoned CBD-1. These properties are commercial in nature, including a mix of office, retail and parking uses. These buildings range in height from one to five stories. A church is located on the corner of Wisconsin Avenue and Bradley Boulevard.

South: A fire house is located across Bradley Boulevard. This property is zoned R-10. To the southeast of the Property is the Chevy Chase Club.

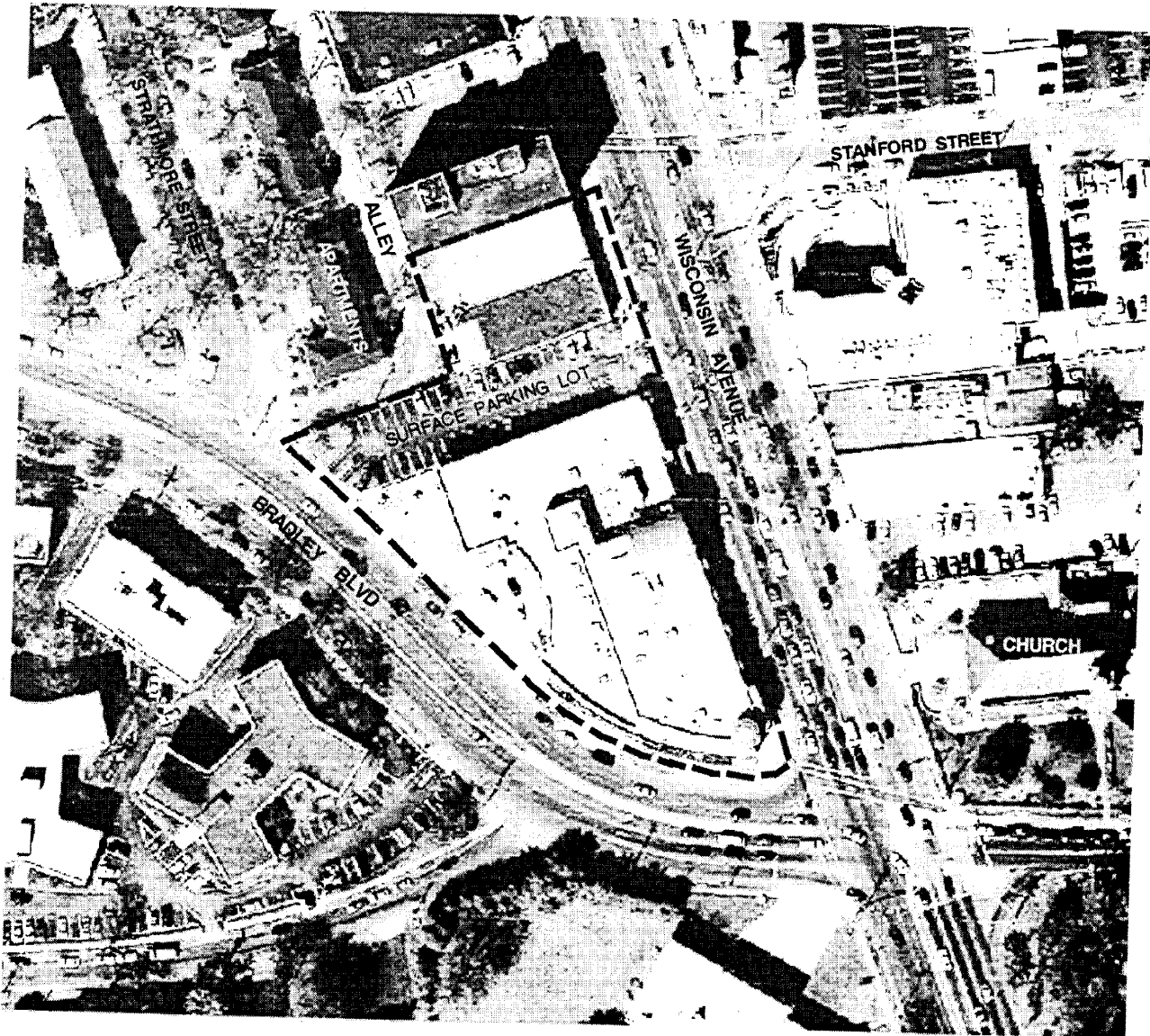
West: The Barkley Apartments are located to the southwest of the Property, across Bradley Boulevard. The Barkley Apartments are a 3- to 4- story development that is owned by the County's Housing Opportunities Commission. This property is zoned R-10.



PROJECT DESCRIPTION: Site Description

The 1.74-acre site is zoned CBD-1 and comprised of three properties. The northern one, 13,504 square feet in size, is improved with two one-story retail store buildings. The middle property, 15,663 square feet in size, is currently used as a surface parking lot. The southern one, 46,757 square feet in size, is improved with a 2-3 story building, which has 81,237 square feet of retail/office uses and a level of underground parking accessed off of Bradley Boulevard. The building is occupied by tenants including Storehouse Furniture and Staples.

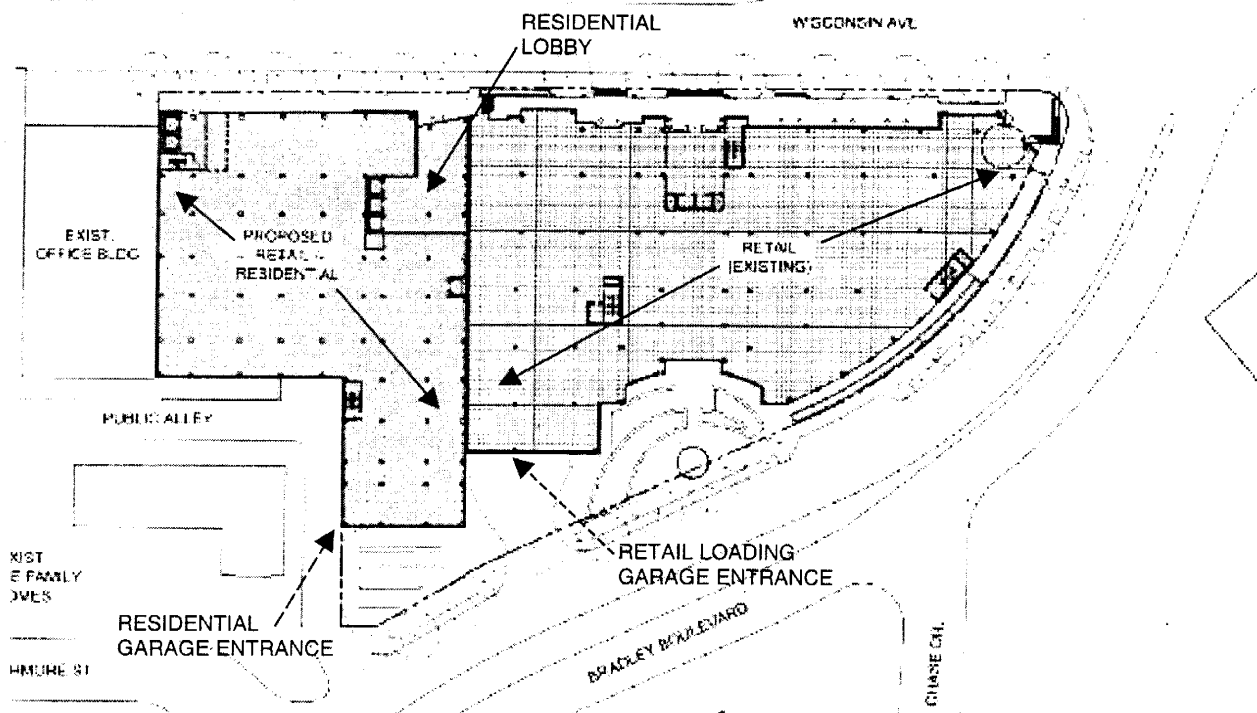
The topography drops nearly 20 feet from Wisconsin Avenue toward Bradley Boulevard on the northern portion of the site where the new building will be constructed. Sections of the site's street frontages are improved with brick sidewalks and street trees. There are overhead utility lines along the Wisconsin Avenue frontage and along a small section of the Bradley Boulevard frontage near the northern end. The loading areas of the two retail buildings in the northern part of the site are on the public alley side. The commercial building in the southern portion of the site has a semi-circular driveway off of Bradley Boulevard, which provide some parking spaces and access to the loading area and underground parking. The surface parking lot has a driveway entrance on both Wisconsin Avenue and Bradley Boulevard.



PROJECT DESCRIPTION: Proposal

Development Program

Bethesda View is a mixed-use development consisting of residential condominium units and retail space. The project proposes to keep an existing retail building and to construct a new high-rise building in the northern portion of the site. It will include approximately 125,700 square feet of retail/office space, inclusive of the existing commercial space, and 75 to 120 one-, two- and three-bedroom residential units.

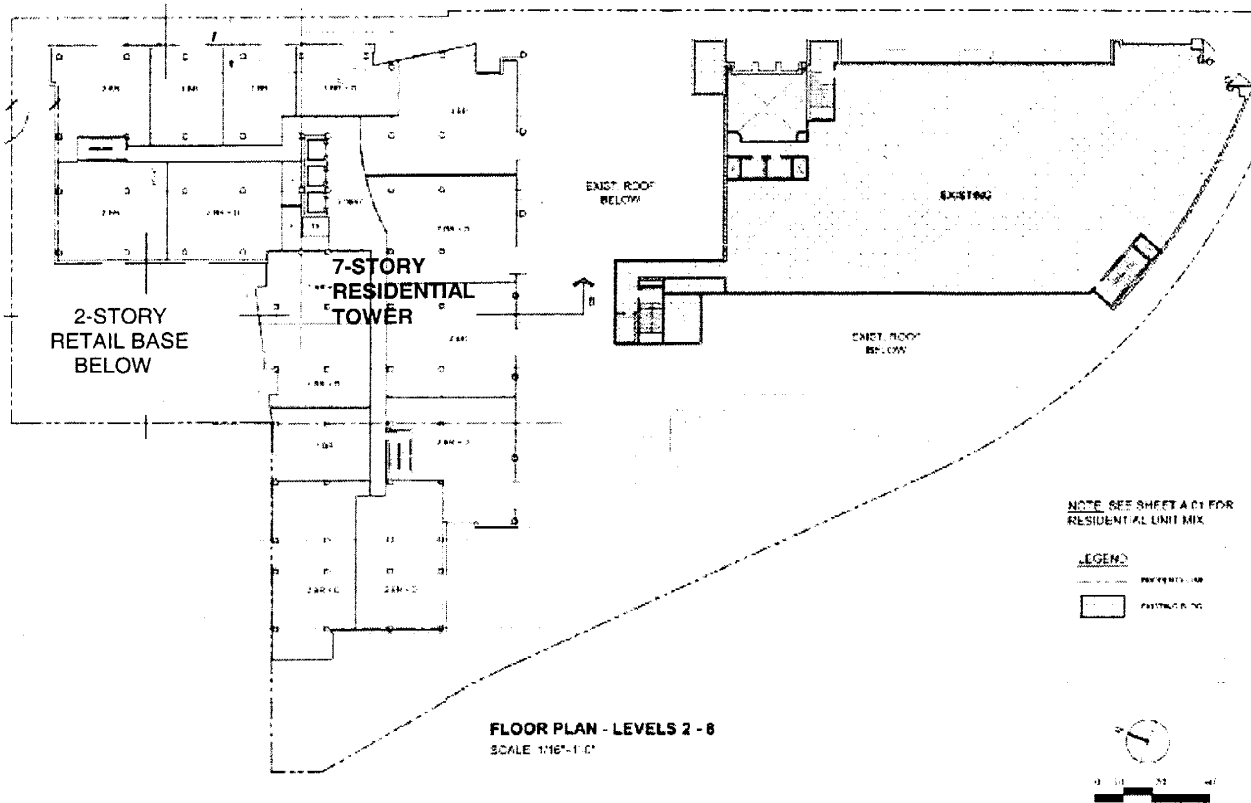


Existing and Proposed Buildings

The existing three-level retail building in the southern portion of the site, which contains approximately 66,000 gross square feet of retail and $\pm 12,000$ gross square feet of office, will remain. The new high-rise building will be 9 stories, with a 7-level, L-shaped residential tower on top of a two-level retail base. The north wing of the residential tower will be set back 20 feet from Wisconsin Avenue and approximately 55 feet from the public alley. The residential lobby and the ground level retail will be accessed from Wisconsin Avenue. The entrance to the lower level of the retail space will be on the Bradley Boulevard side of the building. The new building will include approximately 44,400 gross square feet of retail space.

The architectural approach taken for the building recognizes the prominence of its location and proposes a design which embraces the site's role as an "urban gateway" to Bethesda. The architectural massing consists of interlocking volumes of brick masonry and glass of varying heights, which provides compositional interest and allows the subject building to relate to the existing surrounding structures and their varied heights.

WISCONSIN AVENUE



Parking

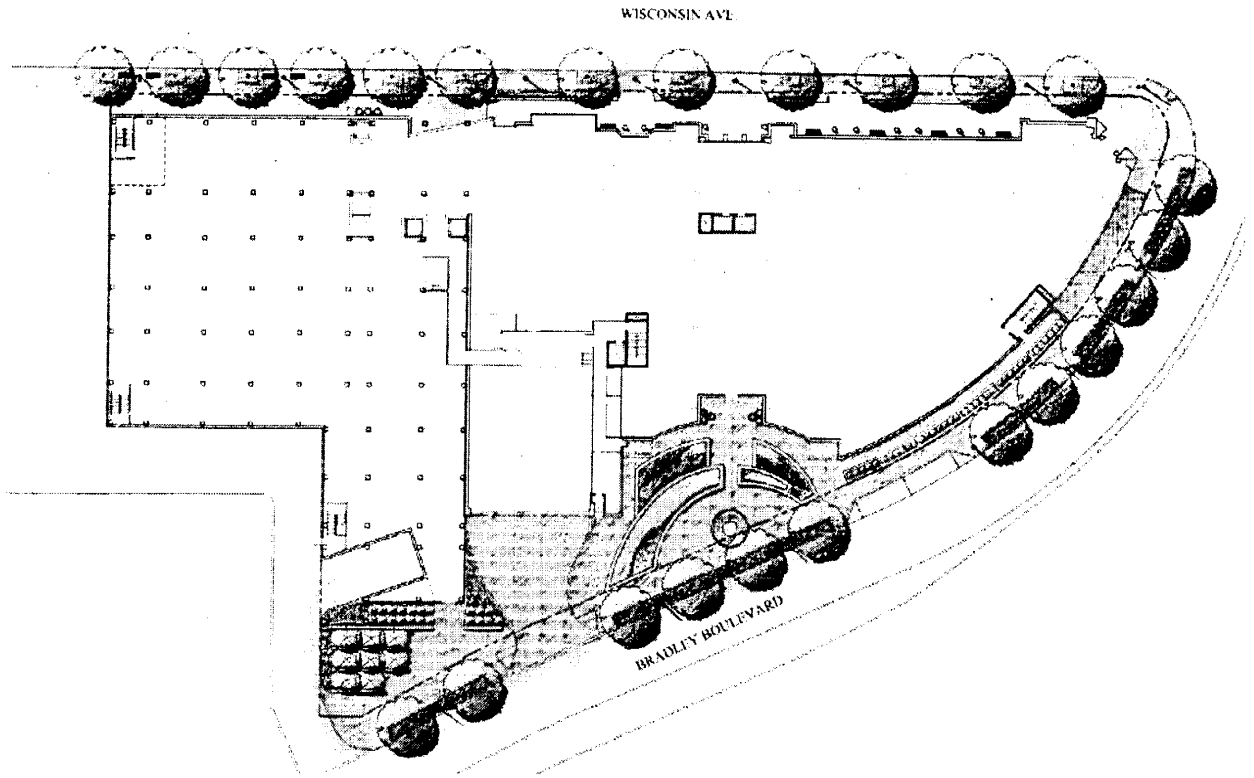
The new building will include a four-level, underground parking garage for use by residents, retail patrons and the general public. The new garage will contain a total of 263 parking spaces, with 146 spaces reserved for the residents and 117 spaces for the retail. With the existing 126 parking spaces located within the garage under the existing retail building, there will be 389 parking spaces serving the entire development. The new and existing parking will be connected internally.

The plan proposes two separate entrances for the residential and commercial uses of this development. The entrance ramp off of Bradley Boulevard to the existing retail building's underground parking will be used for the commercial uses of the entire development. The residents of the condominium units will have a parking entrance off of the public alley to their exclusive parking spaces in the two lower levels of the garage.

Streetscape Improvements/Public Use Areas

The plan proposes to improve public use space along Wisconsin Avenue, including street trees, benches, a widened sidewalk along Wisconsin Avenue, and plantings. The existing utility poles will be removed and utilities placed underground along the Wisconsin Avenue frontage.

On the Bradley Boulevard frontage, two public urban garden plaza areas will be provided. The plazas will serve as the focal point of the public space improvements. The applicant will remove existing barren concrete drop-off and curb cuts, and add in their places one of the pedestrian plaza areas, inclusive of a public sculpture and/or water feature. A second plaza area will be located further down Bradley Boulevard, adjacent to the new Bethesda View building. This plaza will be a visually interesting pedestrian seating area, consisting of pre-cast seat walls, ornamental trees, shrub and perennial plantings. The design of the public space will screen the existing building's loading and service area, and substantially improve the Bradley Boulevard streetscape.



Public Art

The public art will be located along Wisconsin Avenue, and be incorporated into the architectural skin of the building. An artist who works in glass has been selected to work with the project architect to integrate public art into the building facade along Wisconsin Avenue. The art element of the Bethesda View building will become a focal point, or beacon for those traveling along Wisconsin Avenue. The Applicant is currently developing the details of such building art.

Off-Site Public Amenities

The entryway to the existing alley on the north side of the Bradley Boulevard frontage will be improved with a patterned, colored concrete treatment, which will extend to the residential entry ramp. In addition to providing the streetscape improvements along the site's Bradley Boulevard and Wisconsin Avenue frontages, the applicant proposes to extend the streetscape along Wisconsin Avenue northward approximately 300 feet.

Private Amenities

The Bethesda View will provide private amenity areas that will be accessible to the residents of the project. In addition to private balconies, which will be a component of most units, there also will be exterior rooftop terraces and a fitness center available to the residents. A terrace above the retail on the third level, and a rooftop terrace will provide passive recreational space for the building residents. Inside the building, residential amenities will include a club room and multi-purpose room for residents' private use.

ANALYSIS:

Master Plan Conformance

The project is located near the southern end of the Bethesda Central District (CBD) in the CBD-1 zone. The 1994 *Bethesda Central Business District Sector Plan* recommends the optional method of development for only those mixed-use projects containing a residential component. It recommends retail for the ground floor.

Sector Plan Objectives

The Sector Plan Objectives for the area are:

1. *Support a diverse specialty - and community-serving retail environmental, including adequate short-term parking facilities.*
2. *Provide additional housing to encourage uses that are compatible with nearby residential areas.*

The Bethesda View plan will provide additional retail along Wisconsin Avenue and short-term parking. It will also provide up to 120 residential condominiums and add to the diversity of the residential mix in the area.

Urban Design Guidelines

The Sector Plan urban design guidelines call for new buildings to be set back 20 from the street curb (along Wisconsin Avenue) to accommodate the higher level of pedestrian activity that occurs along the corridor. Streetscape is to be provided in accordance with the recommendations of the Bethesda Streetscape Plan.

The Bethesda View project will provide 20 feet of sidewalk along Wisconsin Avenue between the building façade and the face of curb. The Bethesda Streetscape and undergrounding of utilities are provided. In addition, the plan modifies the existing Wisconsin Avenue frontage of the retail structure at the corner of Bradley Boulevard and Wisconsin Avenue to improve pedestrian access into the CBD. Additional streetscape will be provided along Bradley Boulevard, and a public open space and landscaped area will replace a concrete parking area at the Bradley entrance.

Building Height

The plan's urban design guidelines also call for the building heights to be limited to 75 feet to step down heights from the Metro Core and to ensure compatibility with nearby residential areas. The proposed Bethesda View Plan measures 79 feet 6 inches in height. Staff considers the minor departure from the 75-foot limit to be consistent with the guidelines in the Sector Plan. The commercial building directly to the north measures approximately 80 feet in height, and the proposed residential building will not significantly block sunlight to the existing multi-family residential building to the west.

Road Dedication

The 1994 Sector Plan called for dedication of up to 60 feet of right-of-way from the centerline of Wisconsin Avenue. The additional right-of-way was intended for streetscape. Because the existing commercial building on the corner of Bradley Boulevard and Wisconsin Avenue did not dedicate the full 60-foot right-of-way and its' basement level projects under the sidewalk, staff agreed to accept an easement instead of the full right-of-way dedication for the proposed new building which adjoins the existing. As noted above, the applicant will provide the full 20 feet of sidewalk area between curb line and face of building developed with the Bethesda streetscape, as was the intention of the Sector Plan.

Public Art

The development team met with the Park and Planning Commission's Public Art Review Panel and has accepted the recommendation to incorporate public art into the Wisconsin façade of the new building rather than providing an art feature in the green space of the Bradley Boulevard frontage. An artist who works in glass has been selected to work with the project architect, Shalom Baranes Associates, to integrate public art into the building facade along Wisconsin Avenue. The Art Review Panel will review the proposed art before the time of Site Plan review.

The architecture, the new streetscape and the public art proposed in this project will enhance the southern gateway to the Bethesda Central Business District.

Transportation Planning

Local Area Transportation Review (LATR)

A traffic study was submitted to determine the impact of the proposed development on the local area transportation system. Staff concurs with the overall conclusion of the study that all affected intersections in the area will operate within the congestion standard of 1,650 Critical Lane Volume (CLV) for the Bethesda-Chevy Chase policy area and the 1,800 CLV standard for the Bethesda Central Business District.

The site's generated trips were added to the existing and background (trips from approved but un-built developments) traffic and assigned to eight intersections in the vicinity of the site. A CLV analysis for total future traffic indicates that all intersections operate within an acceptable congestion standard as described above.

Access and Circulation

The proposed development will provide safe and adequate vehicular and pedestrian access and circulation. Two separate driveways on Bradley Boulevard will provide future access to the site. One driveway provides access to the retail parking and the second driveway will provide access to underground parking for the residential units. The proposed plan shows a two-space passenger drop-off area on the Bradley Boulevard frontage. This passenger drop-off area needs to be further studied at the time of suite plan review to determine if this arrangement is the most desirable solution for this development. Adequate sidewalks surrounding the site will provide safe access for pedestrians.

Policy Area Review/Staging Ceiling Analysis

The site is located within the Bethesda Central Business District policy area, which has a remaining capacity of 863 jobs and 161 housing units as of November 30, 2003.

Environmental Planning

Forest Conservation

The proposed development is required to provide 0.26 acre afforestation. This requirement can be met by providing off-site forest or a combination of saving existing trees and planting new trees on site. If any street trees within the Wisconsin Avenue or Bradley Boulevard rights of way are desirable for save, detailed recommendations shall be made by a ISA Certified Arborist for overall health and potential for save by time of site plan submission.

Noise And Air Quality Compatibility

Noise: The subject site is located at the intersection of two major highways. Therefore, compliance with the standards and intent of the County Noise Ordinance (Chapter 31B of the County Code) through proper design is imperative. Care shall be taken in location of noise producing activities

including loading areas, HVAC systems, and solid waste disposal areas. Noise impacts from adjoining major highways must also be considered. Site Plan for the proposed development should include a noise analysis to determine if residences are exposed to noise levels greater than 65 dBA Ldn. If so, additional acoustical treatment of the residential units may be required. The Environmental Planning staff suggests enclosures of outdoor balconies to maximize utility of such areas.

Air Quality: The design of the proposed development should separate garage exhaust from residential intakes and away from outdoor amenity spaces.

Requirements of the CBD-1 Zone

The following table demonstrates the conformance of the Project Plan with the development standards under the Optional Method of Development.

PROJECT DATA TABLE FOR CBD-1 ZONE

<u>Development Standard</u>	<u>Permitted/ Required</u>	<u>Proposed</u>
Gross Tract Area (s.f.):	22,000	75,925.0 (1.74 ac.)
Road Dedication (s.f.):		<u>1,471.5</u>
Net Lot Area (s.f.):	N/A	74,453.5
Residential Units: (d.u.)		75 – 120
MPDUs (d.u.):	10 – 15	10 – 15 ¹
(%)	12.5	12.5 ¹
Floor Area (residential + commercial):		
FAR	3.0 ²	2.88
proposed residential space		151,000
existing retail + office		46,170 (exclud. 35,067 cellar)
proposed retail		<u>21,700</u> (exclud. 22,700 cellar)
Total	227,775	218,870
Building Height (ft.):	60 ³	79.5
Parking:	N/A ⁴	
existing commercial parking		126
residential		146
retail		<u>117</u>
total		389
Public Use Space (% of net lot area):	20	20
(s.f.)	14,891	14,891

1. To be provided in accordance with DHCA's letter dated December 2, 2003.
2. Under optional development method for a mixed-use development.
3. May be increased to 90 feet if approved by the Planning Board in the process of site plan per Section C-6.235 of the Zoning Ordinance. Sector Plan recommends 75 feet for the subject property.
4. The proposed development is located within a Parking District and is not required to provide any parking on site if it is subject to the Parking District Tax.

FINDINGS for Project Plan Review:

Section 59-D-2.42 of the Zoning Ordinance establishes the findings, which must be made by the Planning Board and forms the basis for the Board's consideration of approval. In accordance herewith, the staff makes the following findings:

- (a) *It would comply with all of the intents and requirements of the zone.*

The intent of the CBD zone (Section 59-C-6.212)

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

The site is located near the southern end of the Bethesda Central District (CBD) in the CBD-1 zone. The 1994 Bethesda Central Business District Sector Plan recommends the optional method of development for only those mixed-use projects containing a residential component. It recommends retail for the ground floor. The Sector Plan Objectives for the area are: a.) support a diverse specialty - and community-serving retail environmental, including adequate short-term parking facilities; and b) provide additional housing to encourage uses that are compatible with nearby residential areas.

Bethesda View is a mixed-use project using the optional method of development. It will provide additional retail along Wisconsin Avenue and short-term parking. It will also provide up to 120 residential condominiums and add to the diversity of the residential mix in the area.

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

Using the optional method of development, the proposed project is allowed to be developed with a higher density, an increase building height, and flexible development standards, such as building setbacks. The project plan responds to the need for housing in downtown Bethesda. It also will add retail space to this area for the existing and future residents and workers alike. Under the optional method, this project encourages the development of active urban streets by providing public spaces along street frontages and improves the quality of pedestrian environment with the improved streetscapes. The project supports the economic base in the downtown area by making it easier for workers in Bethesda to live near their jobs.

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

The proposed development will turn a surface parking lot and two one-story buildings into a mixed-use project with ground floor retail stores. It will create a continuous retail street frontage along this section of Wisconsin Avenue and increase pedestrian activities on the streets by adding both residential units and retail space. The proposed design, building façade, streetscape improvements and amenities provide a more desirable and cohesive pedestrian network, adding to the existing framework of South Bethesda. The design provides an

effective relationship with adjacent uses and amenities and allows for a more interactive pedestrian and vehicular circulation pattern.

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

The proposed development is located approximately one half mile (10 minute walking distance) from the Bethesda Spring Metro Station. The proximity to transit facilities as well as the downtown employment core will reduce the dependency on the automobile for the residents of the development.

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

This project plan encourages the development of active urban streets and improves the quality of the pedestrian environment by providing streetscape improvements in accordance with the *Bethesda Streetscape Plan*. The residential portion of the development will have its own vehicular entrance to the underground parking garage separated from the commercial entrance and loading area.

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

No MPDUs will be provided on site. Instead, the applicant has reached an agreement with Montgomery County Department of Housing and Community Affairs (DHCA) to make a contribution (\$55,000 per MPDU plus \$110,000) to the Housing Initiative Fund to satisfy the MPDU requirement. The contribution will go towards funding construction of affordable housing units on the Fire Department Property, located on the corner of Bradley Boulevard and Wisconsin Avenue, or if such project is not feasible will fund other projects within the same or adjoining planning area.

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

The project proposes to combine two properties into one lot and take advantage of the development potential of the entire assembled land for a mixed-use development. The Sector Plan objectives for the area include supporting a diverse specialty- and community-serving retail environmental and provide additional housing to encourage uses that are compatible with nearby residential areas. The proposed development will consist of residential and retail uses.

Additional Intent of the CBD-1 Zone (Section 59-C-6.213)

- (1) *“To foster and promote the orderly development of the fringes of the Central Business Districts of the County so that these areas will provide land uses at a density and intensity which will encourage small business enterprises and diverse living accommodations, while complementing the uses in the interior portions of these districts;”*

The development of this residential/retail project meets the need for dwelling units and encourage small business enterprises in the Bethesda Central Business District. The future residents in this development will strengthen the commercial centers and add

increased value to the surrounding residential neighborhoods. The density recommended in the Sector Plan and permitted in the Optional Method of Development allows this specific type of development.

- (2) *“To provide a density and intensity of development which will permit an appropriate transition from the core of central business districts to the less dense peripheral areas within and adjacent to the district.”*

The development associated with this project plan is an appropriate transition and complement to the surrounding mix of residential and commercial activities. The density (FAR 2.88) is compatible with the surrounding garden apartments, and is less than that permitted on the site (FAR 3). This project is being developed under the Optional Method of Development, providing opportunities for public open spaces and amenities, as well as improved streetscapes to the public roads.

- (3) *“To provide an incentive for the development of residential uses to meet the needs of those employed within the central business districts and those who will be able to use the district transit facilities to travel to and from places of employment.”*

The proposed residential units are within one-half mile of the core commercial center of downtown Bethesda, making this development a key component for residents who wish to live and work in the CBD. The Bethesda metro station also allows direct commuting to and from the key commercial districts in Maryland and Washington, D.C.

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

See ‘Master Plan Conformance’ section above (pages 13 and 14).

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

The development is complementary to the range of commercial and residential characteristics of the surrounding neighborhood. The design and scale of the project, pedestrian and vehicular circulation and improvements to the streetscape provide an enhancing and interactive relationship with the surrounding south Bethesda community. The residential component of this mixed-use development complements the residential properties to the northwest and west of the site. The north wing of the high-rise building will be sited close to Wisconsin Avenue and away from the adjacent garden apartments to minimize its impact on those units.

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

There is sufficient residential staging capacity within the Bethesda Central Business District Policy Area, which has a remaining capacity of 863 jobs and 161 housing units as of November 30, 2003. In addition, this mixed-use project’s proximity to the Bethesda Metro Station and bus routes helps promote the use of public transportation. There is adequate water and sewer capacity within Bethesda CBD Policy Area to accommodate the project. Further, the FY 2003 Annual

Growth Policy indicates there is adequate school capacity within the Bethesda-Chevy Chase high school cluster area.

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

The Optional Method of Development encourages a more efficient and desirable product than by using the standard method of development. The method allows development of more residential units for the Bethesda Central Business District and provides design flexibility for a higher density project. The Project Plan will also provide a number of on-site and off-site public amenities, which may not be accomplished by the use of standard method of development.

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

The proposed development contains 75 to 120 condominium multi-family dwelling units. At least 12.5% of the units must be Moderately Priced Dwelling Units (MPDUs). Therefore, the development must provide 10 to 15 MPDUs, depending on the final number of the units.

No MPDUs will be provided on site. Instead, the applicant has reached an agreement with Montgomery County Department of Housing and Community Affairs (DHCA) to make a contribution (\$55,000 per MPDU plus \$110,000) to the Housing Initiative Fund to satisfy the MPDU requirement. The contribution will go towards funding construction of affordable housing units on the Fire Department Property, located on the corner of Bradley Boulevard and Wisconsin Avenue, or if such project is not feasible will fund other projects within the same or adjoining planning area.

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

Not Applicable.

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

The proposed development is required to provide 0.26 acre afforestation. This requirement can be met by providing off-site forest or a combination of saving existing trees and planting new trees on site.

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

Conditional approval from the Montgomery County Department of Permitting Services (DPS) for Stormwater Management concept is pending. Approval of Stormwater Management concept is required prior to submittal of the Site Plan application.

APPENDICES

- A. DHCA's letter to Chairman Berlage dated December 2, 2003.
- B. Letter from M. Wilson Offutt to Michael Ma dated November 4, 2003
- C. Letter from M. Wilson Offutt to Gregory B. Fernebok dated November 26
- D. Letters from citizens supporting the proposed development